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HIGH COMMISSIONER FOR REFUGEES

Forty-fourth session

SUMMARY RECORD OF THE 485th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 6 October 1993, at 10 a.m.

Chairman: Mr. KAMAL (Pakistan)

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General debate (continued)

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The meeting was called to order at 10.10 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. VERGNE SABOIA (Brazil) said that the most serious problems before the Executive Committee included threats to the institution of asylum, violations of the human rights of refugees, especially women and children, and the obstacles and dangers faced by UNHCR and other humanitarian agencies in trying to perform their duties. The Executive Committee should remind Governments of the need to respect the principles on which the international system of refugee protection had been built and to abide by humanitarian law relating to the safety of humanitarian agents and the right of the civilian population to obtain relief.

2. His Government was concerned about the risk of the erosion of the principles of non-refoulement, international solidarity and burden-sharing. Those pillars of the system of refugee protection were jeopardized when countries seeking to curb irregular immigration and to harmonize their asylum policies adopted laws and administrative procedures that could restrict the access of asylum-seekers to safety or even cause their refoulement. Recourse to the concept of "protection elsewhere" also posed serious problems, since it placed increased pressure on less developed countries or those not sufficiently prepared to provide protection and assistance to refugees. It could also expose refugees to refoulement. In that connection, the principle of non-refoulement was the cornerstone of asylum and of refugee protection and applied to all asylum-seekers until their status had been clearly determined. To reject refugees without granting them the opportunity of having their claims properly examined was a flagrant violation of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. The Executive Committee should strongly condemn violations of the principle of non-refoulement and reaffirm the need for compliance with it in all circumstances, including situations of the large-scale influx of refugees. In that case, temporary protection could be an adequate solution.

3. Discrimination and ethnic conflicts were the most common factors that gave rise to refugee situations. However, economic and social causes frequently undermined the ability of countries to face crisis situations without generating refugee flows or internal displacement. Appropriate structural solutions must therefore also be found by the international community as part of the effort to understand and deal with refugee problems.

4. At present, developing countries hosted the largest contingents of world refugees. Through international solidarity and burden-sharing, those countries should receive the resources necessary not only for providing assistance to refugees, but also for compensating for the strain placed on their infrastructure.

5. In Latin America, the Cartagena Declaration had expanded the definition of refugee and permitted flexible solutions for asylum-seekers. Brazil, for example, had recently granted asylum to a considerable number of refugees, mostly from Angola, Mozambique and Zaire. Continued UNHCR assistance was essential to enable his country to cope with that additional responsibility.

6. His delegation was pleased to note that some major refugee problems in Latin America were dwindling, as was the case in Central America and Suriname. It hoped that the political agreement reached in Haiti would be fully respected and create conditions for resolving the plight of Haitians who had fled or were trying to flee their country. The main lessons derived from the innovative process of the International Conference on Central American Refugees (CIREFCA) were that the political and negotiated settlement of disputes was the key to solving problems relating to refugees and displaced persons and that there was an inextricable interrelationship between peace, democracy, development and durable solutions for uprooted people.

7. His delegation was concerned at the fact that the human rights of refugees were being violated in developed countries which prided themselves on their high standards of respect for human rights. Some of those countries adopted policies that hindered family reunion and constituted a denial of an essential right of refugees. His delegation was also deeply concerned about acts of violence, aggression and discrimination against refugees motivated by xenophobia and racism. Despite the efforts of Government authorities, the problem was spreading. The Executive Committee could not ignore that issue and should stress the need to combat racism and discrimination against refugees.

8. Mr. KAMARA (Observer for Sierra Leone) said that his country had long adopted a generous policy on asylum and that, during the 1960s and 1970s, some 250,000 Guineans had found asylum in Sierra Leone. The Sierra Leonean communities had absorbed them without any request for international assistance and it was only after the death of Sekou Touré in 1984, when assistance had been sought for the reintegration of Guineans returning from Sierra Leone, that UNHCR had learned that his country had provided such asylum. In the 1970s, Sierra Leone had welcomed a number of refugees, mainly from South Africa, Namibia, Zimbabwe, Sudan and Uganda, who had been accommodated in the homes of Sierra Leonean families. However, it had had a rude awakening in 1990, when 120,000 Liberian refugees had arrived in a period of only three months.

9. A few months later, incursions by Sierra Leonean rebels, sponsored by a rebel group in a neighbouring country, had brought death and destruction to the southern and eastern regions of his country. Thousands of Liberian refugees, together with many Sierra Leonean nationals, had fled as a consequence, mainly to the Republic of Guinea. As a result of the war, 4 out of 12 districts in his country had been occupied by rebels.

10. Since 1991, the rebel war had resulted in the displacement within their own country of more than 500,000 citizens in addition to the estimated 250,000 who were refugees in neighbouring countries. The enormity of the problem in Sierra Leone had not been fully grasped by the international community. As his country struggled to liberate areas held by rebels, it had to divert valuable resources to that war. At the same time, it hosted some 20,000 refugees, mainly from Liberia, in addition to those from Sudan, Ethiopia and Ghana. It should be noted that his Government's refugee policy adhered strictly to its commitment under the 1951 United Nations Convention, the 1967 Protocol, and the 1969 Convention of the Organization of African Unity.

11. One year after assuming power, his Government had not only acquitted itself well on the battlefield, but had also created conditions that would allow the rebels to lay down their arms and join in the important work of developing the country. In that connection, he expressed his country's gratitude for the assistance the international community had given to the refugees and displaced persons through UNHCR, WPF and other United Nations agencies, as well as non-governmental organizations. In recognition of the need to make the best possible use of available resources for assisting refugees and displaced persons, the Government had established the National Rehabilitation Committee (NARECOM) under the Office of the Deputy Head of State to coordinate the activities of all the agencies concerned and to avoid duplication of efforts.

12. While his delegation appreciated the assistance provided to date, it drew the international community's attention to the need for increased and continued assistance in providing relief to displaced persons and refugees and for rehabilitating areas in areas that had become liberated. In that regard, NARECOM had drawn up a comprehensive recovery programme.

13. His Government was seeking to end the war by every possible means, since, as long as the war continued, it would not be possible for the people to return to their homes and to become self-sufficient again. It therefore continued to request the international community's assistance in order to meet the desperate needs of its nationals both within and outside the country.

14. His delegation welcomed the positive developments in the situation in Liberia which could lead to the repatriation of that country's nationals who were refugees in neighbouring countries.

15. He welcomed the new observer States and drew attention to the comments the observer for the Russian Federation had made at the preceding meeting when he had underlined his country's growing needs in respect of asylum-seekers and the internally displaced. Sierra Leone supported the initiative aimed at including the Russian Federation in the membership of the Executive Committee in order to underscore the importance of its voice in that body.

16. Mr. KUBIS (Observer for Slovakia) said that, after being a producer of refugees and migrants, Slovakia had become a transit and recipient country. It had therefore joined the activities of the High Commissioner and other international institutions dealing with those problems. The establishment of the UNHCR Liaison Office in Bratislava was concrete proof of such cooperation. The Office had contributed significantly to his country's overall approach to the solution of refugee problems.

17. Another step taken to cope with those problems had been the creation of the Migration Office in September 1993 as the coordinating institution for all governmental and non-governmental organizations in that field. Legislative steps were also being taken to revise the Refugee Act of the former Czech and Slovak Federal Republic and thereby create adequate legal conditions for the stay of refugees in his country's territory.

18. The Slovak Republic had, from its very beginning, assumed responsibility for the care of refugees and displaced persons from the former Yugoslavia in its territory. It had even widened its activities to include persons who were being relocated from the Chernobyl area. Another group was expected to be resettled by the end of 1993. That programme was to continue in 1994, but its implementation in the following years would depend on his country's economic resources.

19. Despite some serious economic and financial difficulties, his country maintained an open border for all those in need of protection. In that regard, his Government had allocated 232 million crowns for such purposes in its 1993 budget.

20. In view of the lack of information on the treatment of refugees, his delegation stressed the importance of a direct connection with UNHCR databases, on the one hand, and with a regional interexchange network, on the other. Such a connection would provide his country with information that was necessary to make decisions about persons entering its territory. Furthermore, information provided by his Government could be useful to neighbouring countries and to UNHCR itself.

21. Mr. EL KHAZEN (Lebanon) said that the international community was faced with the problem of an increasing number of refugees as a result of natural disasters and armed conflicts. It was normal that the refugee problem should assume an international dimension and responsibility for meeting the needs of refugees, on the political, economic and social levels, was therefore a task for the international community.

22. The Executive Committee had frequently discussed the suffering endured by the Lebanese people as a consequence of 17 years of brutal war and the continuing occupation by Israel of its southern area. That country resorted to various violent measures, including bombardment, to force the population of the south to surrender to its will or to flee in fear and despair to other regions. Israel had recently bombed the villages of the south, forcing no fewer than 350,000 people to flee in terror. While it was true that most of them had returned to their villages, they had gone back to destroyed houses and an unstable situation.

23. He expressed his Government's appreciation to the international humanitarian organizations which had sent an emergency fact-finding mission to the south and launched an appeal to all sympathetic parties to raise approximately US$ 29 million to repair some of the consequences of the Israeli shelling. The High Commissioner had contributed US$ 100,000 to that assistance package. His delegation also thanked the countries which had, in response to the appeal by international organizations and the Lebanese Government, extended assistance to relieve the suffering in Lebanon.

24. Lebanon strongly supported the efforts being made by the High Commissioner and hoped that they would extend to the internally displaced. It had frequently called for a redefinition of the concept of refugees to include the internally displaced within the scope of the activities of the High Commissioner, since they experienced the same problems faced by refugees

as defined in the 1951 Convention. It therefore supported Commission on Human Rights resolution 1993/95 under which a representative of the Secretary-General would be mandated to deal with the problems of internally displaced persons.

25. As was known, there were a large number of Palestinian refugees in Lebanon and their return to their homes was a natural right. Responsibility for ensuring that return lay with the international community, which should establish an independent Palestinian State and guarantee the right to return to all Palestinians living outside the occupied territories. The Lebanese and the Palestinians categorically refused all forms of settlement in Lebanon.

26. Large numbers of persons still lived in Lebanon in a constant state of fear, poverty and instability. It was time for the international community to get to the root of the problem so that there would be no further need for relief efforts to alleviate the human plight that it created.

27. Mr. DOS SANTOS (Angola) said that the Executive Committee's last session had been held at the time of Angola's first elections, which had given the Angolan people reason to hope and have faith in a future full of promise. Despite the political maturity shown by the Angolan people during the electoral process, however, its hopes had been short-lived, since UNITA, which had not accepted its electoral defeat, had unilaterally decided to reject the results of the elections and had opted once again for armed action, causing death and destruction in various parts of the country.

28. As his delegation had stated in the Executive Committee in October 1991, more than 300,000 Angolans had expected to be repatriated, if possible, before the elections. For various reasons, that repatriation had not taken place. However, nearly 112,000 Angolans from Zaire had returned to their country spontaneously. The organized repatriation was to have begun immediately following the elections and considerable work had been done along those lines by the Government and the High Commissioner. With its own funds, the Government had carried out a repatriation operation from Zambia to the province of Moxico.

29. As a result of the situation created by UNITA, which had militarily occupied provinces that were privileged areas for the reception of repatriates, the repatriation process had been totally jeopardized. That had caused serious difficulties for the Angolan exiles who had been expecting to return to their homes. In view of the difficulties facing some of the countries of asylum where the Angolan refugees lived, particularly Zaire, the members of the Executive Committee could imagine the suffering of thousands of Angolans who had been unable to return home.

30. Despite the efforts made by the UNHCR office in Angola, repatriated Angolans had not received the support necessary for their reintegration. The staff and resources made available to them by UNHCR in transit areas, and the food and medical aid, had been greatly reduced because UNITA had endangered the World Food Programme by firing at an airplane that had been transporting goods for repatriated persons.

31. The social situation in Angola was dramatic. More than 3 million people had been either displaced or repatriated or were victims of war or drought and 25 per cent of those were children. The daily death rate was alarming - around 1,000. Only a major emergency programme supported by the international community and covering the entire country could still save lives. His Government expected that UNHCR would play a more active role to benefit repatriated people as well as displaced persons.

32. Although the repatriation of Angolan refugees had been suspended, it should not be considered finished. Everything would depend on how the political situation evolved. UNHCR should start planning now, so that, as soon as conditions were right, repatriation could resume. The wait had been long and the living conditions of Angolans in some host countries were intolerable.

33. In response to UNHCR's appeal for funds for Angola, a number of contributions had been pledged. Yet the appeal should be renewed to enable UNHCR to carry out its mission fully because funds were required for the reintegration of populations and for agriculture, health and water supply programmes. The Government did not have the financial capacity to perform those tasks alone.

34. Mr. SILAHAHI (Observer for Indonesia) said that, as a first-asylum country, Indonesia held the view that the presence of refugees and other asylum-seekers in its territory should be temporary and that resettlement to third countries and repatriation to the country of origin were the only viable solutions. No residual cases should be left in countries of first asylum. In Indonesia, a total of 144,900 Vietnamese asylum-seekers had been registered and temporarily settled over the past 18 years. Of that number, and thanks to the international community's commitment to refugees, 129,873 had been resettled to third countries, 3,767 had returned safely to their country of origin under a successful voluntary repatriation programme and 11,260 remained in Indonesia.

35. With UNHCR's assistance and in accordance with the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA), the Government of Indonesia had recently completed the screening of the remaining asylum-seekers. Of the total, 2,534 had been admitted as refugees.

36. Since its launching, the CPA had scored more and more successes. Fruitful tripartite talks involving UNHCR and the Governments of Indonesia and Viet Nam had taken place in Hanoi on 1 and 2 October 1993. A memorandum of understanding on principles and arrangements relating to the return from Indonesia of Vietnamese non-refugees had been concluded.

37. Protecting the right of first asylum and safeguarding the integrity of the CPA constituted objectives shared by Indonesia. He appealed to resettlement and donor countries to demonstrate their continued commitment to the full implementation of the CPA. Full coordination between asylum and resettlement countries, UNHCR and other interested agencies was essential to the success of the CPA.

38. Mr. NOVAK (Observer for the Czech Republic) said that his country now had three years' experience in dealing with refugees. Both the former Czechoslovakia and the new Czech Republic had had to create policies and mechanisms for dealing with refugees and the necessary legislative framework within a very short period of time. The Czech Republic had acceded de jure to the 1951 Convention and the 1967 Protocol on 1 January 1993. It had adopted the decree of the former Czechoslovakia offering temporary refuge to the victims of the conflict in the former Yugoslavia, including assistance for detainees, children, women and people who were ill. The Czech authorities were now preparing a partial amendment to the country's refugee law and a new global asylum law which could be adopted in 1994.

39. His Government cooperated closely with UNHCR and other international organizations such as IOM and ICRC, non-governmental organizations and refugee offices in other countries. It considered the most important tasks for the near future to be the creation of a model of asylum procedures compatible with systems in Western European countries and the preparation of a comprehensive integration programme for refugees and temporary refugees from the former Yugoslavia.

40. The Czech Republic's geographical position created a very special migration situation. The transit of persons who depended on the clandestine labour market in Western European countries was the most important migration problem. Current restrictive alterations in the asylum law of traditional asylum countries were likely to change the Czech Republic into a destination country.

41. The solution of the global refugee problem required the adoption of comprehensive international measures. The international community must concentrate on dealing with the human rights violations that were at the root of the refugee problem. The Czech Republic was prepared to take part in that effort, despite its limited experience; collaboration with other countries and international organizations in that area was very important for his country. The Executive Committee should, in that connection, take up Amnesty International's recommendations concerning refugee protection.

42. Lastly, he announced that the Czech Government would decide by the end of October 1993 on the amount of its financial contributions for victims of the armed conflict in the former Yugoslavia and for direct humanitarian assistance.

43. Mr. DOBREV (Observer for Bulgaria) noted that Bulgaria had acceded to both the 1951 Convention and the 1967 Protocol on 12 May 1993. UNHCR had opened a Liaison Office in Sofia in February 1992. A host country agreement had been signed in May 1993. In November 1992, the National Bureau for Territorial Asylum and Refugees had been established as a Government agency to implement the 1951 Convention and the 1967 Protocol. Under its statute, the Bureau was furnishing the necessary inter-agency coordination.

44. A total of 185 persons from the former Yugoslavia had been given temporary protection and assistance. They had all been granted refugee status by the UNHCR Liaison Office. According to estimates made by the Bulgarian authorities, over 1,000 persons from the former Yugoslavia had been

accommodated with host families without having registered formally. More than 15,000 foreigners were residing illegally in Bulgaria with a view to seeking asylum in the West. With the tightening up of immigration procedures in the European Community, the majority of those foreigners had become potential asylum-seekers in Bulgaria.

45. Although the number of refugees to whom temporary protection had been accorded in Bulgaria might seem relatively small, such measures already represented a burden, owing to serious economic constraints resulting from the painful transition to a market economy and economic losses incurred because of economic sanctions against Serbia and Montenegro. That was why his country relied on increased financial assistance under UNHCR programmes to meet care and maintenance expenses. Setting up the necessary organizational structure for examining cases of asylum-seekers and potential refugees was of crucial importance for effective national policies. UNHCR assistance, particularly in training the staff of the National Bureau and in organizing seminars and courses for the police and the judiciary, would be very timely and appropriate.

46. Referring to the document giving an overview of UNHCR activities for 1992-1993 (A/AC.96/813), he said that strategic planning was of utmost importance for adequate reactions in emergency refugee situations. Objective and accurate information on the situation in potential countries of origin was a precondition for appropriate planning of national refugee policies. Bulgaria shared the view expressed in paragraph 28 of the overview concerning the important role played by the UNHCR Information and Documentation Centre in the elaboration of UNHCR programmes. His Government wished to apply formally for access to UNHCR databases, particularly to those containing information on countries of origin. As a first step, access could be given to the Bulgarian Permanent Mission in Geneva.

47. His delegation had taken note with appreciation of the Note on International Protection (A/AC.96/815), which contained a very good analysis of current trends in the international protection of refugees and asylum-seekers. Some countries were applying the concepts of first country of asylum and safe country of origin in a manner that caused his Government great concern and the introduction of summary procedures for persons from "safe countries of origin" was especially alarming. His delegation endorsed the conclusion contained in paragraph 23 of the Note that such concepts could not be applied unless due regard was paid to strict observance of the principle of non-refoulement. The problem was one of the utmost importance for Bulgaria, a major transit country for refugees from Africa, Asia and the Middle East.

48. His country subscribed to the prevailing feeling at the current session of the Executive Committee that priority should be given to prevention of refugee flows. All crises involving massive displacements of persons had the common denominator of mass violations of human rights. That was why Bulgaria supported recommendation No. 3 made by the Secretary-General in document A/AC.51/1993/2 and aimed at encouraging further cooperation between UNHCR and the Centre for Human Rights in cases of prolonged exodus and exile owing to violations of human rights.

49. Mr. GOONETILLEKE (Observer for Sri Lanka) said there had never been such a crucial era as the present one as far as refugees were concerned. The number of victims of both man-made and natural disasters was constantly increasing and no area of the world was spared. The refugee issue had thus taken on an international character. As to the causes of both external and internal displacement, the general tendency was to assign the blame to human rights violations, persecution, civil war and other factors. They certainly did contribute to the phenomenon, but other factors such as natural and man-made disasters, under development and the absence of peace and security did so as well. If a person did not feel secure in his usual place of residence, he would move to a more secure one. If a person could not sustain himself in his own environment, he would move to a better one. Unless the root causes of that phenomenon were addressed, the intensive rate of population movement would continue unabated.

50. In Sri Lanka's experience, there were three categories of victims: those who had left Sri Lanka for the West in pursuit of asylum; those displaced from the country's northern and eastern provinces to India; and those displaced from those provinces to the rest of Sri Lanka.

51. Following the unfortunate events of 1983, a wave of sympathy had been generated for those in the first category and asylum had been given lavishly by Western European and certain other Governments. Their willingness to accept with open arms those who had been genuinely affected by the events of 1983 had been exploited by others who, having left Sri Lanka through legitimate channels, had claimed asylum on arriving at their destinations on account of alleged persecution. In such instances economic necessity had replaced humanitarian considerations. Large sums of money ha' been paid to experts in moving human cargo across borders into preferred destinations in the West. It was heartening to note that some Western Governments had rightly assessed the prevailing situation and had taken steps to curb the influx of economic migrants.

52. With regard to the second category of refugees from his country, he said the rein of terror unleashed against their own community by the Liberation Tigers of Tamil Eelam (LTTE) had resulted in mass movements of both internal and external refugees. The lack of international accountability for LTTE's terrorist acts gave it encouragement to continue its atrocities. Yet the improvement of the climate of security in the eastern province and part of the northern province of his country had made it possible to repatriate some refugees, with the assistance of UNHCR and the Government of India, which his delegation wholeheartedly welcomed. So far, nearly 37,000 persons had been voluntarily repatriated.

53. In order to facilitate that process, his Government had mounted a massive rehabilitation programme. Returnees were free to resettle in the areas they had originally inhabited, in other areas of their choice or to remain in welfare centres until they had decided where to go. They were paid both regular rations and resettlement allowances and financial assistance was provided for the reconstruction of their houses, the resumption of business activities, etc. Those who had left their jobs behind were reinstated with

the least possible delay. There was no question of compulsion in either repatriation or resettlement and his Government would work with UNHCR and other international organizations in those endeavours.

54. Internally displaced persons numbered over 600,000 at present, owing to the continuing conflict between LTTE and the Government. LTTE was attempting to achieve "ethn c cleansing" of the eastern and northern provinces with the intention of claiming them as "traditional homelands" of the Tamil people. Ironically, increasing numbers of Tamils themselves had fallen victim to extortion, conscription, illegal detention, trial by kangaroo courts and other repressive measures. His Government had been spending over US$ 5 million a month to feed and maintain the internally displaced persons. The sympathy and support received from UNHCR, ICRC, non-governmental organizations and many Governments was very welcome.

55. Referring to the comments made by the High Commissioner concerning prevention and protection, his Government agreed that prevention was cost-effective in the long term, but cost-intensive in the short term. Yet given the long-term benefits of prevention, the choice was obvious. The establishment of open relief camps in the northern province, achieved with the cooperation of UNHCR, had been a unique experience. For the first time, civilians who had had reason to believe their security was threatened had been able to go to an open relief camp, instead of leaving Sri Lanka for India.

56. UNHCR had played another unique role in his country. Since rail and road transportation to the Jaffna Peninsula had become impossible as a result of fighting and sabotage, the good offices of UNHCR had been employed to open up safe passage permitting civilians to move in and out of the Peninsula. After several rounds of discussion between UNHCR and LTTE, a draft agreement on safe passage had been handed to LTTE in June 1993. Although several attempts had been made to finalize those arrangements, that humanitarian goal remained a distant dream because of LTTE's intransigent attitude.

57. In conclusion, he thanked the High Commissioner and her able and dedicated staff, as well as the donor nations that had made it possible for UNHCR to carry out its mission in Sri Lanka. With the country's security situation now returning to normal, it was to be hoped that UNHCR would have a growing role to play in repatriating and resettling Sri Lankan returnees in the months to come.

58. Mr. CHAKRAVARTI (Observer for India) expressed his Government's deep gratitude for the sympathy and solidarity shown with the victims of the recent earthquake in India. The sentiments expressed at the current session of the Executive Committee strengthened the Indian authorities in their efforts to cope with the tragedy.

59. India attached great importance to the humanitarian work of the High Commissioner and her Office. The nature of that work demanded that the Executive Committee and the secretariat should be apolitical and above any suspicion of political motivation. The Executive Committee and its Bureau had a heavy responsibility in that regard.

60. There were now over 18 million refugees throughout the world. Refugee flows often stemmed from situations where people could not fully enjoy their political and civil rights. Yet the root causes of population flows had become increasingly complex. As the Note on International Protection (A/AC.96/815) pointed out, refugee flows should not be seen only in terms of violations of civil and political rights: extreme poverty, hunger and economic disruption had become significant causes as well. If disparities of wealth among industrialized and developing countries persisted, people would continue to leave their countries of origin.

61. The Note on International Protection discussed circumstances in which UNHCR might accept specific responsibility for internally displaced persons. It must be recognized that the primary responsibility for the welfare of citizens within its territory lay with the State and the consent of the State should be a prerequisite for any activity relating to internally displaced persons. The approach taken should follow the terms of the United Nations Charter, even where responsible national mechanisms no longer existed. Stretching UNHCR's mandate to deal with internally displaced persons on a permanent or near-permanent basis was something that should be viewed with circumspection.

62. The international community was becoming aware of the impact of terrorism and subversion on refugee flows. All States had the responsibility to desist from sponsoring or supporting terrorist and subversive activities in other countries that could lead to refugee flows. Terrorism had been condemned as a violation of human rights at the recent United Nations Conference on Human Rights.

63. It was gratifying to note that, since the forty-third session of the Executive Committee, a large number of voluntary repatriation movements had taken place or begun. Voluntary repatriation remained the preferred durable solution for refugee problems and was a practical technique for achieving the safe and dignified return of refugees.

64. Despite being a developing country with limited resources, India had a long-standing tradition of hospitality towards refugees. Over the years, it had received refugees from throughout its region and had borne that burden stoically, primarily using its own resources. Repatriation had been carried out on a strictly voluntary basis, essentially through bilateral arrangements. India now harboured thousands of refugees from Sri Lanka and Bangladesh who wished to return home. Agreements had been reached with the Governments of those countries for voluntary repatriation. In the case of Sri Lankan refugees, the repatriation process was already proceeding smoothly with the cooperation of the Government and UNHCR.

65. Mr. AKTAN (Turkey) said that, as a country situated at the very centre of a region where refugee-generating conflicts were taking place and having historical and cultural ties with most of the peoples affected, Turkey was greatly concerned with the problem of prevention. The first questions that arose were what to prevent and how to set about doing so. A systemic or holistic approach, rather than the analytical one usually adopted in the modern world, was called for when attempting to assess the refugee problem. The High Commissioner had appeared to feel the same need when she had

advocated a comprehensive strategy; the United Nations pursued the same objective when it stressed the coordinating role of the Department of Humanitarian Affairs in complex emergencies. A thorough debate on the problem was called for if an international consensus was to be achieved.

66. Although the international community had been aware for decades that the population explosion was bound to cause grave harm to the environment and that the situation, especially in the least developed countries, would be exacerbated by slowdowns in economic growth, it had failed to prevent the situation from occurring. Today, it could hardly hope to solve the resulting refugee problems by re-establishing order or restoring development in the countries of origin before the refugees' repatriation, but had to be content with encouraging voluntary repatriation and hoping that the refugees would remain in their countries once they had returned there.

67. While it was true that democratic countries did not create refugees or displaced persons in times of peace, he doubted whether that was so exclusively because they recognized human rights and freedoms. History showed that most democratic countries had achieved their territorial integrity and political unity through a blend of persuasion and force. Their high level of development produced a wealth of goods sufficient either to meet or to curb the demands of ethnic groups which themselves were largely assimilated in homogenized cultures. Yet even democratic countries were not altogether free from problems.

68. The refugee problems created by totalitarian regimes had not been of unmanageable proportions. Refugees were the product of disintegrating States or, paradoxical as that might seem, of countries in the process of democratization: the former through loss of political authority, the latter through loss of an all-embracing ideology. In addition to endangering the precarious process of economic reform excessively rapid democratization could encourage virulent ethno-nationalism, which, short of equally vicious repression, was bound to create refugee flows. That dilemma of disintegrating empires was one with which his country was all too familiar.

69. It had to be recognized that democracy was not a guarantee for the promotion of ethnic rights in the short run, but, rather, a political and legal framework within which ethnic groups could strive to promote their rights, provided that they remained within legitimate bounds - a long and difficult political struggle which, if peacefully pursued, stood some chance of leading towards a balanced and civilized outcome. To believe that transplanting democracy and respect for human rights would necessarily and immediately eliminate the root causes of refugee flows was both idealistic and simplistic.

70. Among the causes of the refugee problem, no mention was ever made of the implications of the foreign policies of developed countries or of their societies' attitudes towards ethnic problems in the rest of the world. In many developed democratic societies, there was an undeniable bias in favour of the collective rights of ethnic groups in other countries. That was particularly true of the attitude of non-governmental organizations, whose sense of identity with ethnic groups outside their own countries sometimes went so far as to lead them to support ethnic terrorism. Yet the same

non-governmental organizations were sometimes prone to overlook the situation of ethnic groups in their own countries such as foreigners, asylum seekers or migrant workers exposed to racist violence. It was difficult to avoid the impression that such attitudes, rather than representing the conscience of the societies in question, let alone mankind as a whole, served purely therapeutic ends. Nevertheless, non-governmental organizations exercised a strong influence over the media which shaped public opinion and, in that way, contributed to the shaping of foreign policy.

71. Of course, foreign policy was not simply a matter of transforming popular sympathies or dislikes into attainable objectives; it had its own aims which had little to do with morality. Gaining a competitive political and economic edge in a predatory international environment sometimes called for destabilizing the competitors by exploiting their ethnic differences. Under such circumstances, democracy and respect for human rights appeared irrelevant and an explosive potential for refugee creation was considered to be of secondary importance.

72. According to a theory which had recently gained currency in the international media, the West was the Empire, while all other States were barbarians. A second theory divided the world into a zone of peace and a zone of turmoil; according to a third, the clash of civilizations was imminent and inescapable.

73. Under the first theory, Turkey, located as it was in the intermediary region between the Empire and the barbarians, had the mission of blocking the migratory movements of the new barbarians towards the Empire. The third theory saw Turkey as being torn between its Muslim religion and its Western vocation and thus caught up in the clash of the two irreconcilable civilizations. While he was inclined to consider all three theories to be mere fantasies, he wished to make it clear that Turkey should not be counted on to provide a barrier to marching barbarians, whoever they might be.

74. Turning to the situation in Bosnia and Herzegovina and having paid a tribute to the staff of UNHCR and ICRC and members of non-governmental organizations working there and thanked the European Community and other donors for their generous contributions, he said that the main lesson of the tragedy was that peace-keeping could not be carried out in tandem with an ongoing war. To provide food and relief, but not protection, to those who were targets of war was in itself a blatant contradiction. In Bosnia as well as in the Caucasus region, refugees were not a by-product of the conflict, but its main aim. Every resolution of the international community that was left unheeded and was not enforced cost UNHCR money.

75. Many other potential areas of ethnic conflict with far larger populations than Bosnia and Herzegovina were likely to generate wars that would also aim at ethnic cleansing. Unless the international community was determined to stop the aggression and enforce peace, UNHCR's presence would not suffice to prevent those situations from getting out of control. The international community, had, however, lost all its credibility in Bosnia by giving the green light to forces which wanted to dump their undesirable ethnic elements on the international community as refugees. Under those circumstances, it was safe to guess that UNHCR's growth would continue to be exponential.

76. What was needed was not only a comprehensive strategy geared to a culture of cooperation, but foreign policy consensus on an intergovernmental strategy based on sanity more than on compassion. The international community had to do some soul searching before it lost its soul for good.

77. Mr. AZAM (Observer for Afghanistan) said that, as a result of the 14-year war of independence, 6 million Afghans had been compelled to leave their homes and take refuge in Pakistan, Iran and elsewhere, while some 4 million had been internally displaced. About 1.5 million persons had died and some 2 million disabled persons, as well as millions of widows and orphans, remained in the war-torn country. Eighty per cent of the country's physical infrastructure had been destroyed and some 15 million mines of different types had still not been defused. Moreover, tens of thousands of Afghan children, taken away for the purpose of Russification during the war, still had not returned from Russia and other Republics of the former USSR. Even more painful was the fact that most Afghan children today were growing up without education.

78. The two factors involved in making so many Afghans seek refuge outside the country could be described as "push" and "pull". The Russian invasion of Afghanistan, fear of death and imprisonment, compulsory drafting into military service, war and bombardments, the torture and killing of people for their religious and political beliefs and the destruction of socio-economic infrastructures had provided the "push"; the promise of peace, health, education, work, family life, etc. in neighbouring countries had been the "pull".

79. Today, it was essential to create a "pull" factor to encourage refugees to return home. Their houses were ruined, a safe water supply was lacking, the irrigation system had been destroyed, improved plant seeds were not available, homes and farms were riddled with mines and the land could no longer be cultivated by traditional methods using oxen. Sentiments and emotions alone were not enough to convince the refugees to return unless they had the minimum means of survival, at least for a season. In several instances, as, for example, in the Kama district of Nangarhar Province, refugees who had returned to Afghanistan had gone back to Pakistan after only a few weeks because of the lack of minimum living requirements.

80. Appeals to individuals and organizations had met with a contradictory response. Some said they could not help because there was no peace in Afghanistan; others explained that, under the present circumstances, assistance was related to security. Yet the more refugees returned to the country, the sooner security would prevail there.

81. At present, more than one third of Afghanistan's population lived abroad. The younger men had played an active role in the resistance against foreign aggression. But today there was no more need for military action. Families should return to their country and throw themselves into the rehabilitation of agriculture. Once the young men knew that their parents needed their help on the land, they would throw away their weapons, return home and share in their families' efforts. Conversely, if the families continued to live in camps in Pakistan or Iran, the young men would continue to carry weapons and damage security. In other words, the restoration of peace was directly related to the rate of repatriation of refugees.

82. His Government had decided to transfer power to the nation. But how could that be done when one third of the population lived abroad, while those that remained were being unnecessarily harassed by armed forces? Nothing but effective and urgent steps towards the repatriation and reintegration of refugees would bring security and a democratic process to Afghanistan. The problem of refugee influxes from Tajikistan placed an additional burden on the country. His Government needed help in the search for solutions whereby those refugees could be restored to their homes as soon as possible. In that connection, he welcomed the High Commissioner's visit to the region as well as the Tripartite Agreements between UNHCR, Afghanistan and Iran and Pakistan, respectively.

83. In conclusion, he said that the fact that Afghan refugees accounted for the largest share of the world's refugee population, as well as the fact that there were large numbers of internally displaced persons and refugees from Tajikistan, suggested that Afghanistan ought to be a full member of the Executive Committee. Since UNHCR had helped Afghanistan in the past and would continue to do so, he formally appealed for full membership in the Committee in order to facilitate that work.

84. Mr. FAROOQ (Observer for Bangladesh) said that, since the Executive Committee's preceding session, positive developments had taken place towards reducing the tensions and uncertainties arising from the massive influx of refugees from Myanmar into his country. In early 1992, when the number of refugees had peaked at over 260,000, his Government had been faced with a situation that not only severely strained its limited economic and administrative capacity to host so many refugees, but also placed it under domestic political pressure to arrange for the early repatriation of the refugees to Myanmar. Generous and sympathetic international response to the refugee crisis, including the prompt and effective involvement of UNHCR at his Government's request in meeting the needs of the refugees while they had been in Bangladesh, had been of great assistance, for which his Government expressed its sincere thanks.

85. From the beginning of the repatriation process in September 1992, his country had been committed to the voluntary repatriation of the Myanmar refugees in its territory. So far, 37,000 persons had returned to their original places of residence. A Memorandum of Understanding between Bangladesh and UNHCR detailing the modalities of the voluntary repatriation process had been signed in May 1993. His Government, which had always advocated UNHCR's role and presence in the country of origin as an important confidence-building factor which would facilitate the repatriation of Myanmar nationals, was therefore particularly happy to learn that, following the High Commissioner's recent private visit to Myanmar, a Memorandum of Understanding between UNHCR and Myanmar was expected to be signed in the immediate future, allowing for a UNHCR presence in the Rakhine State of Myanmar from which the vast majority of the refugees originated. The High Commissioner's patience, understanding, personal initiative and commitment to a durable solution of the refugee situation in the region had his Government's unreserved and sincere appreciation.

86. The importance his Government attached to the early repatriation of the refugees to their home country could not be overemphasized. Notwithstanding the hospitality of its people, the fragile economy of Bangladesh did not permit it to host such large numbers of refugees indefinitely. Damage to forests and the environment generally caused by the refugees' prolonged stay had been of a very high order. The recovery would take a long time, since Bangladesh was one of the world's most densely populated countries where refugee camps and ordinary villages were practically part of one another. Furthermore, the continuing presence of refugees created a situation in which conflicts between refugees and local inhabitants could not be ruled out. His Government therefore wished to encourage the High Commissioner expeditiously to conclude the Memorandum of Understanding with Myanmar and to plan for the quick repatriation of the remaining 212,000 refugees still in Bangladesh. In conclusion, he reiterated his Government's appreciation of the generous and continued response and support of the international community in helping it to bear the enormous cost of hosting a quarter of a million refugees. It also wished to commend the High Commissioner and her colleagues for their cooperation in caring for the refugees from Myanmar.

87. Mr. BALOI (Observer for Mozambique) said that the past year had seen the development of a new relationship between his country and UNHCR, evidenced, in particular, by visits by the former Deputy High Commissioner and by the Chairman of the forty-third session of the Executive Committee. Field trips from the UNHCR headquarters in Geneva to Mozambique and to countries hosting Mozambican refugees had become more frequent and measures had been taken to strengthen the UNHCR office and branches in Mozambique.

88. At the Executive Committee's forty-third session, his delegation had officially announced the signing of a peace agreement between the Mozambican Government and RENAMO. Since then, great efforts had been made to consolidate peace and reconciliation among Mozambicans. Two important elements were, however, still missing: the approval of the electoral law, on the one hand, and the demobilization of the military on both sides, followed by the formation of a new army, on the other. Nevertheless, the peace was holding and reconstruction and rehabilitation activities were proceeding. He reiterated his Government's commitment to the implementation of the peace agreement and to the need to pave the way towards the holding of fair and free multiparty elections by October 1994, which, in turn, would lead to lasting peace and stability.

89. Details concerning the repatriation of Mozambican refugees had already been supplied by previous speakers from host countries and were contained in documents circulated to the Executive Committee. There was also no doubt that the signing of the basic agreement between UNHCR and South Africa and the forthcoming tripartite agreement to be signed by UNHCR, South Africa and Mozambique would finally allow Mozambican refugees to be recognized as such and therefore to enjoy the possibility of returning home in safety and dignity.

90. With regard to the question of organized repatriation as against spontaneous repatriation, for the past three years, his Government had been asking without success for support in dealing with spontaneous returns taking place during the war. Failure to obtain such support meant that, today, when

the volume of spontaneous returns was increasing and pressure was being brought to bear on it by refugees wanting to be repatriated at once, his Government was still deciding where, when and how to create minimum conditions for the repatriation of refugees. Although some of those refugees were already living in Mozambique, they still depended on the host countries for much of what ought to have been provided in the places of origin or of choice. The only way to enable such returnees to resume their normal life was to accelerate repatriation-related activities.

91. In addition to other vulnerable population groups, Mozambique had to cope with refugees, internally displaced persons and demobilized soldiers. In the case of the first and last-mentioned categories, the organization from which assistance could be sought was readily identifiable. In the case of internally displaced persons, however, there was no specific United Nations body in charge and he therefore shared the concern expressed by some previous speakers about the need to find a solution to the problem. Lastly, he expressed the hope that the generous attitude which UNHCR, non-governmental organizations and the international community at large had shown towards Mozambican refugees would be extended to other countries in need and, in particular, to Angola.

92. Mr. TIRONI (Observer for Chile), after expressing his appreciation of the work done by the High Commissioner and her staff, some members of which had lost their lives in their noble undertaking, said that the problem of displaced persons had taken on alarming proportions. The figures for refugees and internally displaced persons showed that the restructuring of political balances in the global system had not been sufficient to inhibit the factors which caused such massive population flows. UNHCR had put forward a strategy for innovatory and durable solutions which included the capacity to respond in cases of emergency, preventive action, and voluntary repatriation. An analysis of the observations contained in the Note on International Protection (A/AC.96/815) revealed that refugee-related problems entailed potential risks that compromised international solidarity and made protection precarious.

93. Historical experience and many current cases showed the growing interdependence between peacekeeping, the promotion of economic and social development, and humanitarian action. The approach indicated in the Secretary-General's report entitled "Agenda for Peace" had initiated a process from which UNHCR could not stand aloof. As the High Commissioner had pointed out, UNHCR could not dissociate itself from United Nations political initiatives to help to solve the refugee problem. Nevertheless, UNHCR's involvement must be restricted to humanitarian needs, since the non-political nature of humanitarian activities must be preserved.

94. His delegation valued the promotion of models which offered integral solutions and incorporated development assistance programmes, migration, the consolidation of democracy and the full enjoyment of human rights. Interdependent action in those four areas would promote confidence and durable solutions. The procedure followed by the International Conference on Central American Refugees (CIREFCA) constituted an integral response involving the joint handling of the problem of uprooting, the consolidation of peace and the development of the countries concerned. A definite political will had been required to tackle the problems of various population groups through a

technical approach inspired by the Cartagena Declaration. That model was a valuable precedent at the regional and inter-agency level that should be borne in mind by the Economic and Social Council committee responsible for the matter. It was to be hoped that the post-CIREFCA stage, in which UNDP would play an important role, would make it possible to consolidate peace through human development.

95. Massive population movements were beginning to shape one of the most complex situations that would have to be faced in the next century. The determining factors included economic and social motivations and crises in ethnic relations. Failure to observe human rights and situations of generalized violence had led to an abuse of the right of asylum in the light of the rules of international law. Protective formulas for resolving such delicate situations, even temporarily, had to be compatible with the right to asylum non-refoulement and non-discrimination. There could be no doubt that asylum was in crisis in countries which had traditionally pursued an open policy in the matter. The increase in asylum-seekers whose circumstances did not conform stricto jure to those set forth in the 1951 Convention was a preoccupying problem that could lead to a distortion of the institution of asylum and to a weakening of the right to it. In that connection, account had to be taken not only of unfounded applications for asylum, but also of interceptions, rejection at frontiers and other restrictive administrative practices. Consequently, solutions had to be found which did not impair the integrity of the right to asylum and took account of the need to minimize its abuse. Paragraphs 8 and 9 of the draft report of the Sub-Committee of the Whole on International Protection (A/AC.96/819) reflected the need to seek balanced solutions.

96. Historically, the countries of Latin America had been active in producing refugees and in accepting them. That was one of the region's contributions to the development of international law and that vocation had recently been renewed at a meeting of experts in Uruguay, sponsored by UNHCR, for the purpose of promoting the right to asylum. Consideration had been given to the limitations, application and abuse of the right. A set of recommendations had been drawn up to strengthen the rules of the 1951 Convention, the 1967 Protocol and the Cartagena Declaration by incorporating them in domestic legislation. Latin American experts thus continued to consider that the extended definition contained in the Cartagena Declaration constituted a contribution to the refugee concept. His Government hoped that the idea would be adequately followed up on the tenth anniversary of the Declaration.

97. The situation of internally displaced persons, which was technically close to that of refugees, had assumed alarming proportions. In the Note on International Protection (A/AC.96/815), the High Commissioner formulated guidelines for UNHCR's intervention in such cases. There was a tendency to allow UNHCR a greater level of commitment in the matter. It was also clear that there were mandatory limitations on its capacity to act through the Secretary-General. It, nevertheless, seemed desirable to consider the observations made by the delegation of Sweden in connection with the primary responsibility of the affected States and of the United Nations and the suggestion made at the 1993 session of the Commission on Human Rights that there should be at least a focal point in the United Nations system for

information on displaced persons. For that purpose, UNHCR could make a study of the implications of having an office of that kind. Internal displacements required urgent action and UNHCR should work together with other agencies to initiate a process for meeting the needs of countries requesting its cooperation.

98. The contribution which countries that were not major donors could make to UNHCR's work could be described as alternative arrangements for cooperation. In that connection, it would be interesting to explore, with UNHCR's Division of Human Resources Management, arrangements that would make it possible, as part of technical cooperation among developing countries, to contribute human resources for use in emergency operations.

99. The economic imbalances separating North from South the exacerbation of nationalism and ethnic discrimination, the vulnerability of democratic models and the persistence of gross violations of human rights were factors which it would be difficult to check through restrictive asylum and migration practices. What was needed was a renewed attempt to bring about solidarity and a search for solutions which would, without weakening the principles and institutions governing asylum, offer durable solutions that were the only guarantee that social stability and global peace would be promoted.

100. Mr. BONG JOO MOON (Observer for the Republic of Korea) said that the end of the cold war had heightened expectations that a more peaceful world would soon be seen, with a more stable and enhanced quality of life. Nevertheless, a series of new challenges, in particular the unprecedented flow of refugees resulting from various conflicts, meant that it was still too early for those expectations to materialize. The explosive growth of UNHCR's budget and staff over the past few years provided evidence of the seriousness and scale of the current refugee problem.

101. His delegation paid a tribute to the courage, commitment and sacrifices made by the High Commissioner and her staff, who often had to work in difficult and dangerous circumstances. The security of humanitarian workers was becoming a serious concern for the international community and urgent measures were required to tackle the problem.

102. His delegation generally shared the views expressed by the High Commissioner in her opening statement at the 481st meeting. Obviously, the root cause of the refugee crisis was complex, but the background was the difficult political, social and economic situation in many parts of the world. A durable solution could be found only through a comprehensive approach. In that context, his Government supported the need for a coherent and comprehensive strategy to deal with the refugee problem. As the High Commissioner had rightly pointed out, that should be developed in close cooperation with the United Nations system and with humanitarian organizations, development organizations, non-governmental organizations and Governments. The High Commissioners emphasis on making the improvement of performance and accountability a priority item was most appreciated.

103. His delegation welcomed the significant progress made in resolving some of the refugee problems in Asia. The implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) was particularly encouraging and his

delegation hoped that the meeting of the CPA Steering Committee, to be held in early 1994, would provide an opportunity to conclude the programme. Moreover, UNHCR and the Governments concerned were to be commended on the completion of the repatriation of more than 370,000 Cambodian refugees earlier in 1993; that had contributed to the holding of a successful election in that country. Also welcome was the signing, in May 1993, of a Memorandum of Understanding between the High Commissioner and the Government of Myanmar as a key to settling the refugee problem there.

104. In December 1993, his Government had acceded to the 1951 Convention relating to the Status of Refugees, as well as to its 1967 Protocol, thereby consolidating the legal foundation of its policy for the protection of refugees. Despite its limited resources as a developing country, the Republic of Korea had increased its 1993 contribution to UNHCR's General Programmes five-fold over its 1992 contribution and had also made a modest contribution to the humanitarian assistance programme in the former Yugoslavia. He reaffirmed his Government's full and continued support for UNHCR's activities.

105. Mr. KARAMAGE (Observer for Rwanda) said that he wished to inform the Executive Committee of the steps taken by the Government of Rwanda and the Rwandese Patriotic Front to find a durable and final solution to the problem of Rwandese refugees. In that connection, his Government enjoyed excellent relations and was engaged in a permanent dialogue with UNHCR, as shown by UNHCR's recent supply of emergency humanitarian assistance to persons displaced by the war in Rwanda, even though such persons did not fall within its mandate. His Government was extremely grateful for that action and renewed its appeal for help in the light of the catastrophic situation of the displaced persons, of whom there were now nearly 1 million.

106. Since the outbreak of the war on 1 October 1990, his Government and the Rwandese Patriotic Front had made considerable efforts to put an end to it and to find durable and final solutions to the refugee problem. Thus, in Dar-es-Salaam in the United Republic of Tanzania on 19 February 1991, the Heads of Government of the subregion, assisted by the Secretary-General of OAU and a representative of UNHCR, had adopted the Dar-es-Salaam Declaration on the Rwandese refugee problem. His Government expressed its deep gratitude to all its partners for holding the summit, which had undoubtedly been the first concrete step in the search for a just and lasting solution for Rwandese refugees.

107. On 4 August 1993, a Peace Agreement between the Government of Rwanda and the Rwandese Patriotic Front had been signed in Arusha in the United Republic of Tanzania, putting an end to 34 months of war. The agreement had been welcomed by the Rwandese people as a whole, both inside and outside the country, as ushering in a new era in inter-Rwandese relations and as laying the foundations for an enlarged transitional Government which would administer the country until the holding of free elections. His Government and the Rwandese Patriotic Front were committed to respect the contents of the Agreement in full. The transitional Government would be effective as soon as the neutral international force whose establishment had been recommended by the Secretary-General of the United Nations had arrived. The Peace Agreement specified that the repatriation of Rwandese refugees represented an important aspect of peace, national unity and reconciliation. Although the Peace

Agreement provided for the right of everyone to return at any time after its signing, it indicated that collective repatriation would be possible only after a preparatory period, which could last up to nine months. In order to guarantee the harmonious return of all Rwandese who wanted to go back to their motherland, the protocol to the Agreement went further in defining a Rwandese refugee than the concept contained in the 1951 Convention relating to the Status of Refugees and in the 1969 OAU Convention on Refugees in Africa by recognizing as a Rwandese refugee any Rwandese who declared himself to be so, even if he was not registered with UNHCR. Along the same lines, the protocol allowed the principle of dual nationality, which for a long time had been banished from Rwandese legislation.

108. Anxious to see the Peace Agreement take effect, especially as far as Rwandese refugees were concerned, the Government of Rwanda and the Rwandese Patriotic Front reiterated their urgent appeal to UNHCR for the rapid conclusion of the Plan of Action for durable solutions for Rwandese refugees decided on in Dar-es-Salaam in February 1991, with a view to the holding of a donor conference that would allow the start-up of repatriation operations without further delay. Until such time as the repatriation commission could be set up by the enlarged transitional Government, the Government of Rwanda and the Rwandese Patriotic Front were fully available to UNHCR and OAU for joint participation in taking the necessary steps to finalize the Plan of Action. Although it would like other members of the international community to commit themselves along the same lines, the Government of Rwanda reaffirmed that Rwanda, which had always been a country of asylum for foreign refugees despite the difficult problems with which it was confronted, would continue to give very favourable consideration to any application for asylum. His Government exhorted all States, all international and non-governmental organizations and all humanitarian institutions and foundations to combine their efforts to eliminate all the causes giving rise to the refugee phenomenon.

109. Mr. FREEMAN (United Kingdom) endorsed the statement made by the representative of Belgium on behalf of the European Community and its member States and recalled that, in her opening statement, the High Commissioner had drawn attention to the continued growth of the number of refugees and displaced persons throughout the world and the consequent burden placed on UNHCR, which was being called upon to serve in conditions far more demanding than those envisaged at its creation. It was being required to act more quickly than ever before and to cope with numbers far greater than before in situations of complex emergencies and with growing numbers of internally displaced persons whose plight might be equal to or even surpass that of many refugees. It was operating increasingly in areas of conflict or in areas where Government authority had all but broken down. All that had placed unprecedented pressure on UNHCR's capacity to respond. Nevertheless, UNHCR had achieved some remarkable successes in the past 12 months. The Cambodian repatriation programme had been a fine example of what could be achieved. The introduction of Quick Impact Projects (QIPs) there and in several other countries around the world had been an imaginative innovation and an important step in helping returnees to rebuild their lives.

110. It was impossible to discuss UNHCR's recent work without also referring to the former Yugoslavia, which had accounted for more than one third of its budget. UNHCR's work there had been impressive, despite the manipulation of humanitarian aid by all parties to that tragic conflict and the security risks to its personnel. Over 100 civilian staff had been seconded by the United Kingdom Government to work with UNHCR in the former Yugoslavia. He paid a tribute to them and to all the other aid personnel working there, as well as to UNPROFOR, which included a British Battalion Group which protected convoys and secured routes. Without their efforts, thousands more would have died.

111. The experiences in the former Yugoslavia and of humanitarian agencies working in other areas of conflict such as Somalia and Angola highlighted an issue of growing concern for all involved in humanitarian work - the challenge of reconciling humanitarian needs with political objectives. The two did not contradict each other. Humanitarian assistance without any attempt to address the root causes of a crisis was short-sighted, since it meant merely rescuing people from one fate to line them up for another. At the same time, however, political and military decisions should not be taken without due regard to the humanitarian situation. The two must go hand in hand, both in planning and in implementation.

112. One important aspect of concern to UNHCR was the impact of sanctions on humanitarian relief operations. Sanctions were not intended to restrict the delivery of humanitarian and essential goods. The United Kingdom again stressed its willingness to assist UNHCR and other agencies with their applications to Sanctions Committees in New York and to avoid delays wherever possible in the delivery of essential humanitarian assistance.

113. His delegation welcomed the High Commissioner's statement that UNHCR would continue to cooperate closely with the Department of Humanitarian Affairs in its efforts to mobilize the United Nations system to respond rapidly and coherently to complex emergencies and to deal with the continuum from relief to development. It considered that the conclusions reached by the Economic and Social Council in July 1993 provided a good basis for the further development of such cooperation. However, improved inter-agency coordination alone could not fill all the gaps in the system. Each agency must review and adapt its own procedures to respond to changed circumstances. The High Commissioner was therefore to be congratulated on the substantial progress made in strengthening UNHCR's emergency capacity. A more flexible emergency fund, the deployment of emergency response teams and standby arrangements with external partners had all proved their worth. For its part, the United Kingdom intended to work closely with UNHCR to identify and formalize practical agreements on areas of assistance that could be provided to UNHCR in response to emergencies.

114. In 1994, for the third year running, UNHCR expected its budget to exceed US$ 1 billion. The United Kingdom remained a firm supporter of UNHCR and intended to maintain its position as a major donor. In 1993, it had so far contributed over £45 million, which did not include its contributions through European Community programmes. It would continue to contribute a sizeable sum to UNHCR's core costs, a sum which was not earmarked and was therefore available for the High Commissioner's use as needs demanded. The

United Kingdom would also continue to respond to UNHCR's Special Programmes, which, by their very nature, implied a degree of earmarking. However, that earmarking would be as "light" as it could be made. Perhaps the distinction between the budgets for General Programmes and Special Programmes was less necessary or advisable than it had been in the past. Certainly, the substantially different way in which the Executive Committee dealt with them no longer seemed to be justified.

115. As demands on resources escalated, all spending departments and their budgets came in for increasingly detailed scrutiny. Everyone was looking for the best value for money and trying to reduce waste. It was in that climate that aid budgets had to compete in today's world and in which contributions to organizations like UNHCR were examined. It was necessary to demonstrate that UNHCR was the best value for money. Another essential requirement, as budgets tightened, was for UNHCR to ensure that its work was correctly focused and its priorities clearly established. While acknowledging the valuable work which UNHCR had undertaken in the care and protection of internally displaced persons, the United Kingdom supported the careful definition of the limits of UNHCR's role given by the High Commissioner in her opening statement. UNHCR's resources were already fully stretched and a very careful study of the political, financial and other implications would be needed before any attempt was made to move beyond the criteria that the High Commissioner had proposed.

116. The 1994 General Programmes target once again showed a modest increase which his delegation could support. The target should, however, be kept under review, with occasional opportunities for reductions as situations improved, as well as the more usual proposals for increases in response to new demands. In that context, his delegation welcomed the emphasis on the redeployment of UNHCR staff from Cambodia, Nicaragua and elsewhere after the successful completion of repatriation programmes referred to by the High Commissioner in her opening statement. His delegation also appreciated her determination to improve UNHCR's programme delivery and accountability by further delegating decision-making to field offices, with a commensurate strengthening of their budget and audit functions. Overall, UNHCR, like other agencies, should demonstrate cost-effectiveness and rigorous accountability in all its activities.

117. It was comparatively easy to focus on the limitations and deficiencies of international aid. However, without humanitarian assistance of the kind delivered by UNHCR, the suffering of millions of people around the world would be immeasurably increased. His delegation paid a tribute to the leadership of the High Commissioner and to the courage and devotion of UNHCR staff all over the world. Rather than criticizing international agencies for failing to reach every victim, those agencies should be congratulated on their courage and commitment. Condemnation should be directed instead to those who violated international humanitarian law and standards or who used aid as a weapon of war, since it was their actions which caused suffering and outflows of refugees.

The meeting rose at 1 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fourth session

SUMMARY RECORD OF THE 486th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 8 October 1993, at 3 p.m.

Chairman: Mr. BODDENS-HOSANG (Netherlands)

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General debate (continued)

Adoption of the report of the Sub-Committee of the Whole on International Protection

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GE.93-02757 (E)

The meeting was called to order at 3.15 p.m.

GENERAL DEBATE (agenda item 4) (continued)

Adoption of the report of the Sub-Committee of the Whole on International Protection (A/AC.96/819)

1. The CHAIRMAN invited Mr. Lanus, Chairman of the Sub-Committee of the Whole on International Protection, to introduce the Sub-Committee's report (A/AC.96/819).

2. Mr. LANUS (Chairman of the Sub-Committee of the Whole on International Protection) said that the Sub-Committee had dealt with a number of important issues, in particular those discussed in the annual Note on International Protection (A/AC.96/815), as well as with several documents pertaining to UNHCR policy on refugee children (EC/SCP/82), guidelines on the protection aspects of voluntary repatriation (EC/SCP/80), the evaluation by the Secretary-General of the UNHCR programme on international protection of and assistance to refugees (E/AC.51/1993/2) and UNHCR's activities for refugee law promotion, dissemination and training (EC/SCP/78). In view of the considerable changes at the world level that had to be faced by UNHCR and individual countries, discussions in the Sub-Committee had centred on the major topics of asylum, prevention and solutions and had focused on the search for strategies and measures of effectively ensuring the international protection of persons who needed it. Many delegations had stressed the need for global and integrated approaches to resolving today's increasingly complex and far-reaching refugee problems. Lastly, the Sub-Committee had endeavoured to improve the wording of the draft conclusions on personal security of refugees and on refugee women and sexual violence which would be submitted to the Executive Committee for adoption following the final approval of their texts by the Friends of the Rapporteur.

3. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the report of the Sub-Committee of the Whole on International Protection (A/AC.96/819).

4. It was so decided.

5. Mr. DEMEKSA (Ethiopia) said that the growing complexity of the issue of international protection and new and increasing demands in that area created an urgent need to review the effectiveness of traditional measures and to encourage helpful attitudes through the promotion of mass education. Other urgent tasks were the promotion of refugee and returnee participation in decision-making and the designing of appropriate schemes linking relief, recovery, rehabilitation and reconstruction efforts, with special emphasis on women, children and the environment. Measures that effectively addressed the need for durable solutions needed further exploration. Priority requirements had to be determined and available resources efficiently utilized through the coordination of humanitarian assistance efforts. The competence of national Governments in dealing with migration and refugee flows also had to be enhanced.

6. In his own country, where peace and stability now prevailed, 500,000 Ethiopian refugees had been voluntarily repatriated, while, at the same time, refugees from other countries were taking refuge in Ethiopia. That picture was unlikely to change in the near future. His Government had taken the initiative of bringing the warring parties in Somalia together in an effort to seek the political solutions without which the unprecedented population movements across borders could not be halted. It had generally adopted a cross-mandate approach, dealing in a coordinated manner with the basic needs of groups requiring emergency assistance, as well as of those affected by prolonged war and other calamities. In that way, it hoped to pave the way for cost-effective activities linking relief, recovery and initial reconstruction to sustainable development from which all parties would benefit.

7. The undertaking was, however, unlikely to bear fruit unless it was supported by regional mechanisms. Accordingly, his Government, in collaboration with neighbouring countries in the Horn of Africa, had convened two conferences - one on humanitarian assistance and the other on relief, drought rehabilitation and cooperation - to address emergencies and environmental degradation which hindered progress. The assistance of the international community had without any doubt been of great value, but it was unfortunately incommensurate with the magnitude of the problems created by recurrent droughts and other man-made and natural calamities. He appealed to the international community to adopt global strategies that would comprehensively and cost-effectively meet the basic needs of refugees, returnees and internally displaced persons in the Horn of Africa, with a special focus on women and children.

8. Mr. KHAN (Pakistan) said that the project for the repatriation of Afghan refugees launched after the signing of the Geneva Accords in July 1990 and the establishment of a Mujahideen Government in Afghanistan in April 1992 had enabled over 1.5 million Afghans to leave Pakistan and return to their country by 31 December 1992. The hope of seeing a further 1 million refugees return to Afghanistan in 1993 had, however, been disappointed owing to the presence of large numbers of land mines, the breakdown of the physical infrastructure, the collapse of the agricultural system and the virtual absence of economic activity. Even the revised target of 300,000 repatriations now seemed to be a difficult proposition in view of a fresh influx of about 95,000 refugees, including a large percentage of those previously repatriated.

9. His Government hoped that the establishment of a tripartite commission following the agreement signed by Pakistan, Afghanistan and UNHCR in Islamabad in August 1993, together with the High Commissioner's recent visit to Pakistan, would help set the voluntary repatriation process back on track. Material incentives were also important. Regrettably, the encashment programme which was jointly financed by UNHCR and WFP and whose purpose was to help refugee families return to their homes by partially meeting their transportation charges and enabling them to sustain themselves for some months by means of an allowance equal to US$ 110 and 300 kilograms of wheat was still insufficient. In collaboration with other United Nations agencies and the International Organization for Migration (IOM), UNHCR might consider providing almost wholly subsidized transport to returning refugee families and granting them more extensive assistance in the form of tents, kerosene oil, agricultural seeds and implements.

10. Despite its own economic constraints, his Government had continuously provided relief assistance to Afghan refugees for the past 14 years. The generous support given by UNHCR and donor countries was now diminishing, although 1.5 million Afghan refugees were still present in Pakistan. The decrease was seriously affecting the overall relief assistance programme, compelling the authorities to cancel some otherwise important projects in sectors such as skill development and veterinary care and to introduce large-scale staff retrenchment in refugee organizations. His Government strongly urged UNHCR to use its influence to reverse that trend.

11. The protracted presence of Afghan refugees and their livestock in Pakistan had caused substantial ecological damage to vast areas of the country. In 1990, UNDP had identified various development projects for the affected areas. His Government was confident that the donor community realized the gravity of the situation and would help it launch the planned projects. Since 1984, his Government had been conducting an income-generating project for refugee-affected areas covering forestry, watershed management, irrigation, flood protection and communications. The first and second phases of the project, costing US$ 60 million, had produced tangible results in the affected areas and had provided job opportunities for a significant number of Afghan refugees. His Government therefore strongly urged that regular funding should be provided for the third phase, which was to cost US$ 26.6 million.

12. It was equally important that economic recovery and rehabilitation activities should be vigorously and urgently undertaken in Afghanistan. In particular, the action plan for immediate rehabilitation identified by UNDP needed to be speedily implemented and agricultural activities brought up at least to the pre-war level. He hoped that the international community would continue to support his country as well as Afghanistan in their joint efforts on behalf of Afghan refugees.

13. Mr. URRUTIA (Observer for Peru) said that he had taken note with satisfaction of the results recently achieved by UNHCR within the framework of various refugee protection and repatriation operations. In that connection, the Concerted Plan of Action of the International Conference on Central American Refugees (CIREFCA) of May 1989 was an example of efficient cooperation in humanitarian activities. The success of the Plan of Action had made the international community aware of fresh difficulties, especially that of returnee reintegration, which once again required the cooperation of all concerned.

14. As a result of the far-reaching changes which had taken place in the world in the past few years, the traditional military threat to international security had been replaced by dangers of a new kind. The countries of Latin America, including his own, which had been confronted for decades by the enormous problems of bringing about development and combating poverty, now had to cope with terrorism and its attendant acts of violence. In addition to causing material damage to Peru's economy, the unleashing of terrorism had created massive population displacements within the country; terrorist gangs had gone so far as to exterminate an indigenous group of the Ashaninka tribe who had opposed their insane activities. Flows of hundreds of thousands of internally displaced persons were hampering the Government's efforts to relaunch the Peruvian economy and re-establish peace in the country with full

respect for democratic principles and human rights. Above all, the population flows were causing enormous economic and social problems which the national authorities could not solve without the international community's support and cooperation.

15. He welcomed the constructive and realistic way in which the High Commissioner looked at the action UNHCR had to take to deal with those new challenges and, in particular, the problem of internally displaced persons. He noted with interest that many States at the current session of the Executive Committee had urged that bodies such as UNHCR should respond appropriately, flexibly and realistically to those challenges. In the same spirit, his Government had decided to submit an official request for UNHCR assistance in coping with the problems caused by massive population movements inside the country. It would continue to support the work being done by the High Commissioner and to take an active part in devising solutions that reflected the political will of the international community while guaranteeing UNHCR the necessary flexibility in the performance of its task.

16. Mr. CHEBROT (Uganda) said that the global refugee situation had hardly improved despite everything UNHCR was doing to assist displaced persons and refugees, often in very delicate situations. The international community was therefore under a moral obligation to continue to facilitate UNHCR's efforts to fulfil its mandate. At the same time, everything should be done to resolve the causes of conflict in the areas concerned and, where necessary, to bring pressure to bear on the offending parties by denying them the capacity to prolong the conflict.

17. He fully recognized the efforts made by UNHCR in effectively responding to major emergency situations and in implementing voluntary repatriation and reintegration programmes in several African countries. His delegation welcomed the recent signing of an agreement between UNHCR and South Africa which would enable organized voluntary repatriation to be undertaken in safety and dignity.

18. He noted that UNHCR had responded to the request for assistance addressed to it by his Government the previous year by dispatching a mission to review the Sudanese refugee programme. His Government was anxious that the local populations of refugee-receiving areas should also benefit from refugee assistance programmes. The project in the Masindi district aimed at strengthening the local socio-economic infrastructure would no doubt increase the district's absorption capacity and facilitate the refugees' integration and was a model that might well be emulated elsewhere in the country.

19. At the moment, the refugee situation in Uganda involved two scenarios: on the one hand, over 90,000 Rwandese refugees, most of whom were living in settlements located in south-western Uganda, were preparing for repatriation; on the other hand, over 47,000 Sudanese refugees had entered north-western Uganda since August 1993, when the country had already had over 100,000 Sudanese refugees. The total number of refugees in Uganda was estimated at 350,000 persons, including over 50,000 who had recently arrived from Zaire, Somalia and other countries.

20. Apart from the grave implications of those two movements for Uganda's resources and environment, the situation could be exacerbated by the increase in the number of urban Somali refugees, Zairians and refugees of other nationalities. It was therefore absolutely necessary that UNHCR, which was mandated to seek permanent solutions to refugee problems, should promote the early repatriation of Rwandese refugees and mobilize international support for an assistance development package for the areas formerly occupied by them. The problem of Sudanese refugees had also become a matter of grave concern to his Government because of its socio-economic, political and security implications for the country. His Government could not, in the long term, afford to go on allocating land for the settlement of refugees.

21. The north-western border of Uganda had been bombed on a number of occasions following the entry of large numbers of Sudanese refugees and the problems of people living close to the border were compounded by the scarcity of facilities and the inadequacy of social services that had to be shared with the refugees. His delegation appealed to the United Nations to encourage a dialogue between the Sudanese Government and the various SPLA factions in order to bring about an early conclusion of a conflict that had lasted so long and been so costly in terms of human lives.

22. With the best will in the world, the existing agencies in his country were unable to cope with the situation and it was therefore imperative that the donor community should, in a spirit of solidarity, give greater support to the relevant agencies to enable them to deal effectively with the refugee situation in northern Uganda. His delegation also stressed the need for UNHCR and other agencies to ensure the equitable allocation of resources to host countries, taking due account of the impact of refugee inflows on those countries and of the size of the refugee populations involved.

23. He paid a tribute to the various agencies assisting refugees in his country, in particular, UNHCR, WFP, Médecins sans frontières (Switzerland, France and Netherlands), the Lutheran World Federation, the Red Cross of Uganda, UNICEF and the Inter-Aid and Refugee Department of the Church of Uganda, and assured UNHCR of his Government's commitment to the search for a lasting solution to the refugee problem.

24. Mr. NGUYEN LUONG (Observer for Viet Nam) expressed his country's admiration for everything the High Commissioner had done for refugees, displaced persons and asylum-seekers during the past year. On behalf of the Vietnamese Government, he took note of the positive reactions to the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees, an initiative to which Viet Nam had contributed to the full extent of its ability. Reaffirming his Government's commitment to prevent illegal departures by all available means and to encourage regular and orderly departures in cooperation with the host countries, he expressed the hope that the reintegration of refugees from Viet Nam would be accomplished with full respect for humanitarian considerations. Aware of the difficulties experienced by first-asylum countries, Viet Nam was prepared to cooperate in the search for mutually acceptable solutions.

25. Viet Nam also undertook to continue making efforts to promote voluntary repatriation and the economic and social reintegration of returnees with full

respect for the dignity and safety of the persons involved and with the help of the international community. He took the opportunity to express his country's thanks to donor countries and, first and foremost, to the European Community, as well as to first-asylum countries, for their cooperation and assistance, which it hoped to continue enjoying in the future in connection with the refugees' reintegration.

26. The progress achieved in the conclusion of agreements between Viet Nam and Hong Kong on the repatriation of screened-out refugees had given powerful impetus to the search for similar solutions with other countries in the region. Thus, discussions between Viet Nam, Indonesia and UNHCR had led to the conclusion of an agreement on measures aimed at solving the problem of illegal arrivals of Vietnamese nationals in Indonesia. With regard to the refugees who had left Viet Nam for China in 1979 and 90 per cent of whom were, according to UNHCR, of Chinese origin, he was firmly convinced that the agreement reached by the two countries' highest authorities in 1991 to consider the matter bilaterally had been a happy initiative. In conclusion, he said that Viet Nam was prepared to work together with the member countries of the Steering Committee of the Comprehensive Plan of Action in preparing the forthcoming meeting of that body.

27. Mr. HUSSEIN (Observer for Iraq), congratulating Mrs. Ogata on her opening statement, said that everyone was aware of the magnitude of the world's refugee problems and of the seriousness of a situation that could no longer be handled by the traditional solutions of providing financial assistance to the Office of the High Commissioner or directly to the refugees themselves. Important as it was, that solution was no substitute for the more radical one of repatriation. The key to the refugee problem lay in the political will of States and in their readiness to abandon the pursuit of doubtful political ends.

28. It was regrettable that some countries which displayed extraordinary interest in the situation of certain refugees to the exclusion of others refused to recognize that, because of their influence, their capacities and the fact that they had encouraged certain refugee flows, it was they themselves that held the solution to the refugee problem. His delegation felt some bitterness about the question of refugees because Iraq was continuing to suffer the effects of a deliberate policy one of whose objectives was to perpetuate the presence of large numbers of Iraqis outside the country in order to exploit them for political ends, namely, the destabilization of Iraq and interference in its domestic affairs.

29. Allowing that the Gulf War had been at the origin of the first refugee flow, it had to be recognized that the situation today was entirely different, since the Iraqi Government had promulgated amnesty measures and granted facilities which had persuaded most of the refugees to return to their home country without fear of administrative or judicial prosecution. Only those under pressure from certain States or those who had received promises which stood in the way of a definitive solution of the problem were still abroad. The humiliations and ill-treatment inflicted by the military authorities on refugees whose sole offence had been to ask for a minimum of refugee rights

had been amply reported by the media. It was regrettable that UNHCR, although fully aware of that situation, had disappointed the refugees' expectations by failing to take any positive steps.

30. One of the main reasons for the non-return of Iraqi citizens to their country was the economic embargo which continued to be imposed on Iraq. Hearing of the sufferings endured by the people as a result of the embargo, some refugees hesitated to return home. The ideal solution to the problem would therefore be to lift the embargo, for which there was no longer any legal or moral justification. In that connection, it had to be stressed that, despite the dramatic effects of the embargo on the Iraqi people and the difficulties which the Government had to face in order to meet the basic needs of its citizens, Iraq continued to bear the enormous costs of the presence of Iranian refugees in its territory.

31. The presence of a UNHCR office in Baghdad was indispensable, since it offered a possibility of dialogue between the Iraqi Government and the Office of the High Commissioner. Iraq hoped, however, that UNHCR would play a more active role in persuading other States to grant the right of asylum to refugees, especially Iranian refugees now in Iraq. Likewise, it hoped that the Office of the High Commissioner would urge the Iranian authorities to agree to the repatriation of Iranian refugees wishing to return to their country; the refugees in question could not be regarded as political refugees, since all they had done was to flee the inferno of a war that was now over. Iraq also hoped that UNHCR would instruct its Baghdad office to provide better services at the Iranian refugee camp of Al-Tash in the province of Al-Anbar, and, in particular, to equip that camp with water pumps, since Iraq's own economic situation did not allow it to be as generous as it might wish. Lastly, he said that his country appreciated the High Commissioner's efforts to fulfil her mandate and hoped that UNHCR would contribute to the lifting of the economic embargo.

32. Mr. DEMBINSKI (Observer for Poland) said that despite the hopes raised by the ending of the cold war, unprecedented demands had been placed on UNHCR during the past year. Both old and new challenges had been successfully met and his delegation paid a special tribute to Mrs. Ogata for combining a personal concern for human misery with efficient management of a complex and expanding organization.

33. There had been progress in the implementation of the components of the strategic plan for UNHCR, namely, the capacity for emergency response, preventive protection and voluntary repatriation. During the past year, some refugee situations had been resolved and the refugees had been able to return home. The situation in the former Yugoslavia, where UNHCR was working under extremely trying circumstances, deserved particular mention.

34. In her Note on International Protection (A/AC.96/815), the High Commissioner formulated guidelines for UNHCR action in such situations. Poland basically shared the High Commissioner's views in that regard. However, the influx of asylum-seekers without a valid claim called for new mechanisms and closer international cooperation in order to maintain the viability of the asylum institution. The steps taken by most countries to prevent illegal migration and to avoid abuse of asylum procedures could not be

allowed to affect individuals genuinely in need of protection. The introduction in several countries of increasingly restrictive policies towards asylum-seekers and refugees and the rapid implementation of the so-called "third safe country" concept appeared to be having a serious impact on the international system of refugee protection. It was the Executive Committee's duty to examine the situation created by the adoption and implementation of such policies, whether common or individual.

35. Referring to document EC/1993/SCP/CRP.6 entitled "Informed decision-making in protection: the role of information", he stressed the important role of information strategy in ensuring international protection and avoiding serious abuses of the procedure for determining refugee status. His delegation was keenly interested in the development of an information-sharing system by the Centre for Documentation on Refugees (CDR) and strongly supported the country-oriented approach and the possibility to access the CDR databases.

36. Poland welcomed UNHCR's efforts to improve the situation of refugee women and children. In that context, it noted with gratification the progress made by UNHCR in revising the 1988 Guidelines on Refugee Children and strongly urged States to ratify the Convention on the Rights of the Child. The influence of the Office of the UNHCR Coordinator for Refugee Women should be preserved and systematically extended to UNHCR activities in the field.

37. Notwithstanding its limited possibilities, Poland had offered hospitality to some 900 children from the former Yugoslavia, often accompanied by their mothers and teachers. A number of Polish hospitals and health care facilities had offered medical care to sick and wounded children from Sarajevo. The involvement of Polish non-governmental organizations in refugee protection and care efforts was impressive. Against that background, it had to be borne in mind that most refugees entering Poland hoped to go to one of the western European countries and regarded Poland merely as a transit route. Those who failed to move on felt trapped in Poland and their growing frustration was indicative of the complexity of the problems which the Polish authorities had to face. His country strongly deplored and condemned the policy and practice of so-called "ethnic cleansing" and welcomed the establishment of the International War Crimes Tribunal for the former Yugoslavia.

38. In addition to political factors, the refugee problem had economic and social causes connected with poverty, malnutrition and underdevelopment. It was the international community's duty to take account of forced economic migrations and to seek practical means of coping with them. A broad approach, ranging from prevention to the promotion of economic progress, democracy and human rights, was called for. In conclusion, he said that Poland would fully cooperate with UNHCR in its humanitarian mission.

39. U TIN KYAW HLAING (Observer for Myanmar) recalled that Mrs. Ogata had visited Myanmar from 28 to 31 July 1993 at the invitation of the Minister for Foreign Affairs of his country to discuss with some of the country's leading personalities the framework of the assistance to be provided by UNHCR for the returnees from Bangladesh. Following Mrs. Ogata's visit, a 10-member technical mission led by Mr. Blatter, the Director of the Regional Bureau for Asia and Oceania, had visited Myanmar from 4 to 16 September 1993.

Discussions between the members of the mission and the Myanmar authorities concerned were reported to have been fruitful and, before long, the two sides would undoubtedly be able to put in place the mechanisms for implementing programmes in the humanitarian field.

40. His delegation expressed its sincere and deep appreciation to Mrs. Ogata and all members of the UNHCR staff, especially those of the Regional Bureau for Asia and Oceania, for their friendship, understanding and goodwill towards Myanmar.

41. Prince SOBANDLA DLAMINI (Observer for Swaziland) said that the solution to the refugee problem was not the granting of asylum, with all that it entailed, but the avoidance of conditions leading to that human calamity. While UNHCR, non-governmental organizations and donors were trying to alleviate the problem, the vast number of refugees around the world was still increasing, with unfortunate repercussions for the host countries. Without the assistance of UNHCR, non-governmental organizations and donors, Swaziland would not be able to assist the refugees living in its territory. However, the financial situation of the Office of the High Commissioner left little room for optimism.

42. A few weeks previously, Swaziland, Mozambique and UNHCR had signed a tripartite agreement for the voluntary repatriation of Mozambicans. In order to be able to go home and lead decent lives, those returnees would need certain essentials which Mozambique was not at present in a position to provide. It was therefore to be hoped that the international community would assist the repatriation process by supporting the creation of a reasonable infrastructure in Mozambique. With that end in view, the Head of State of Swaziland, King Mswati III, had invited the Head of State of the Republic of Mozambique and the High Commissioner to a ceremony to be held shortly to inaugurate the repatriation process.

43. The number of returnees from Swaziland would be in excess of the official figure because a number of spontaneous refugees living among Swazi communities had not yet been registered for voluntary repatriation. He hoped that the budget for that programme would take account of those excess numbers. Furthermore, his Government had on several occasions requested transport to ensure the efficient implementation of the repatriation process and hoped that the request would receive favourable consideration by UNHCR.

44. Swaziland also continued to host early refugees from South Africa who had already attained self-sufficiency. However, the recent drought had adversely affected their cotton crop and it would be helpful if the urgent provision of food to those refugees could be made on the same basis as to the others. Swaziland had also received a new influx of refugees from other parts of Africa and Asia and would be grateful if provision could be made for them.

45. At the forty-third session of the Executive Committee, his delegation had drawn attention to the need for special programmes for refugee women and children and it noted with appreciation that the idea had received support in the Executive Committee and hoped that the programme instituted in Swaziland would receive funding. As every intelligent person realized, human beings

were different from one another and had to try to find what they had in common in order to live together in dignity. The confidence and trust of the powerless and less fortunate made that a sacred duty.

46. When the outgoing Chairman of the Executive Committee had toured the refugee camps, none of the refugees or displaced persons he had met had asked him for money, but had only wanted to know when they could return home. He too had seen such faces and heard such words among the refugees in Swaziland. How many more such words would need to be spoken before the humanitarian mission was completed? Answers to the refugee problem were doubtless difficult to find, but it was the duty of all those present to seek those answers unless they wanted to have lived their lives in vain.

47. Mr. MALLOW (Observer for Djibouti) said that the members of the Executive Committee could only note that there had been a clear deterioration in the refugee situation throughout the world and watch helplessly as increasing numbers of conflicts forced hundreds of thousands of human beings, especially women and children, into exile. The situation was becoming intolerable and called for greater efforts and solidarity. Although it was true that no continent was spared by the phenomenon, Africa, which was already grappling with serious socio-economic and political difficulties was the continent that hosted the largest number of refugees as a result of the conflicts which were tearing apart Angola and Somalia in particular. The resources placed at the continent's disposal must therefore be increased.

48. For its part, Djibouti had always been a land of asylum, despite its meagre resources. It had received more than 150,000 refugees in its territory. That figure represented 28 per cent of its population and the situation constituted a major risk for the country's stability and an unbearable burden on its fragile social infrastructures. While continuing to pursue a policy of openness, Djibouti requested the international community to look after the thousands of human beings who had taken to living in the streets and were transforming the capital of Djibouti into a vast refugee camp. The settlement that was taking shape in Somalia thanks to the intervention of the United Nations and the normalization that was occurring in Ethiopia gave ground for hope that the number of refugees arriving would stabilize and that they would be voluntarily repatriated to their countries of origin. Djibouti was also in favour of extending UNHCR's assistance to persons displaced outside or inside their own country, since such a preventive policy could check the flow of arriving refugees.

49. The concepts of international protection and humanitarian law had been severely tested in 1992 and 1993 and it was becoming more and more difficult to provide assistance and protection to the victims of refugee situations. Among those victims, the most vulnerable groups were subjected to ill-treatment and humiliations which added to their poverty and privations. In particular, women and children were often the victims of rape or sexual violence, additional wounds inflicted on beings whose suffering was already at the limit of what was bearable. Action must be taken to put an end to such odious acts, wherever they occurred, especially in the case of the Somali refugees in Kenya. The international community owed protection not only to refugees, but also to those who looked after them. Djibouti shared the High Commissioner's concern about the safety of her staff and of the staff of

other humanitarian organizations working in the field. It paid a tribute to the altruism of those men and women faced with such certainties and perils.

50. The voluntary repatriation of refugees was undoubtedly the most appropriate solution. However, the refugees had to be able to be reintegrated and to resume normal lives. In the absence of specific projects to create the economic conditions that would enable refugees to look after themselves in the short term, repatriation would only be a costly and ineffective exercise. The High Commissioner had pointed out that refugees often returned to regions where the infrastructure had been destroyed. She had also pointed out that too many repatriation operations were suffering from a shortage of funds. The international community should therefore pay all the necessary attention to that issue. The multiplication of conflicts throughout the world required that more resources and funds should be allotted to assisting countries of asylum weakened by inflows of refugees and displaced persons.

51. Djibouti associated itself with all those countries that were anxious to do more to settle conflicts. International solidarity must be strengthened so that the victims of man's madness could be assisted, but the burden represented by such assistance must be equitably shared between countries of asylum and donor countries.

52. Mr. NYANGOMA (Observer for Burundi) said that, for the first time in Burundi since 1966, pluralist democratic elections had been organized - presidential elections on 1 June 1993 and parliamentary elections on 29 June. The possibility of changing the Government through the ballot box, which the people of Burundi had wanted for almost 30 years, had thus been realized. The open-minded Government which had been established had committed itself to solving the ethnic and regional conflicts that had plunged the country into mourning for more than a quarter of a century. Those conflicts were at the origin of the existence of approximately 240,000 refugees from Burundi who lived mainly in the neighbouring countries of Rwanda, the United Republic of Tanzania and Zaire, but also in other countries such as Switzerland, Belgium, France and Canada. At present, most refugees from Burundi had expressed a desire to return to their native country. More than 10,000 of them had already been repatriated over the past two months. The task of the new Government of Burundi was difficult, since it had to establish the conditions necessary for the reception and settlement of the 25,000 persons whose repatriation to Burundi had been scheduled since the beginning of the year, to whom must be added all the refugees who had decided to return following the political changes that had taken place in June 1993. The Government of Burundi welcomed the High Commissioner's sound decision to give priority to the voluntary repatriation solution and was in favour of the formulation of guidelines for voluntary repatriation undertaken by UNHCR.

53. Burundi was very sensitive to the financial difficulties which UNHCR was currently having to face. Consequently, his delegation associated itself with the Swiss delegation, which had recommended that activities should be undertaken in order of priority. His delegation shared the High Commissioner's disappointment that no solution had yet been found for the Bhutanese refugees in Nepal and that only meagre progress had been made in the repatriation of refugees to Eritrea and other areas in the Horn of Africa.

54. Burundi had created favourable political conditions for the return of its refugees, but the most serious constraints were economic in nature. Since most refugees from Burundi were peasant farmers and stock breeders, the land question was of prime importance. The lands still available would be more than sufficient to absorb the refugees from Burundi, estimated by UNHCR to number 206,000, provided that they were developed. The greatest challenge for the new Government of Burundi was thus to develop the lands in question and to create the conditions for the reception and economic and social integration of the repatriated refugees. It was nevertheless important to assess how much time would reasonably be needed to put such infrastructures into place: unless attention was paid to that point now, the refugees would return spontaneously and no one would be able to foresee their reactions. Such reflections were not merely hypothetical, but were based on the findings of information missions recently undertaken in refugee camps in Rwanda, the United Republic of Tanzania and Zaire. When the missions had been completed, the Government of Burundi had drawn up an emergency plan of action for the repatriation of 50,000 persons in six months. It thus hoped to give itself time to create the conditions for the reception of the refugees who were under the least pressure to return.

55. It should also be pointed out that refugees from Burundi were anxious to recover the lands and houses which they had abandoned when they had fled. That was a prior condition which they had always put forward for their repatriation. The Government had undertaken to settle the land question outside any political context, on a case-by-case basis. Burundi was aware that, on its own, it could never cope with the repatriation of its refugees. The international community, particularly UNHCR and the countries of asylum, must join in the work. If necessary, the Government would revise its repatriation programme accordingly. The problem could then be solved in a maximum period of three years. He associated himself with the statement made by the representative of the United Republic of Tanzania and recommended that the question of repatriation in the two fraternal countries in the Great Lakes subregion - Burundi and the United Republic of Tanzania - should not be treated separately.

56. Within the limits of its possibilities, the Government of Burundi would support UNHCR's activities to help refugees. Furthermore, Burundi wished to associate itself with the work of the Sub-Committee of the Whole on International Protection and the Sub-Committee on Administrative and Financial Matters.

57. Mr. COX (Commission of the European Community) said that, in the cooperation between the Commission of the European Community and UNHCR during the past 12 months, first place had been held by assistance to the victims of the conflict in the former Yugoslavia. At the meeting of the Working Group that had been held in Geneva on 16 July 1993, the Director of the European Community Humanitarian Office (ECHO) had recalled that the European Community had thus far provided $870 million or, in other words, 68 per cent of all the international aid supplied to the victims and that, of that amount, $370 million had been placed at the disposal of UNHCR. He had also announced that additional aid in an amount of $75 million was due to be voted, of which a substantial proportion would be made available to UNHCR. The Community would continue that effort, although the funds earmarked for that purpose in

its 1993 budget had been exhausted. Consequently, economies would be made in other budget lines in response to the call made by the High Commissioner and other partners, particularly with a view to meeting the needs of refugees during the coming winter.

58. In July, the representative of the Commission had also called for better cooperation and coordination on the ground. Since then, the Commission was pleased to have been invited to participate in the inter-agency joint evaluation for the October appeal. A joint effort to secure transparency and accuracy was the best way to strengthen cooperation and provide better planning of contributions paid in response to appeals for funds.

59. In addition to the action it was taking in Yugoslavia, the Community had contributed to humanitarian relief efforts in some 35 countries throughout the world. The Community could finance various activities to help refugees, including displaced persons, in repatriation, "post emergency" relief or reintegration. Thus, under the regional programme to fund projects to aid refugees in Asia, approximately $31 million had gone to UNHCR in 1992 - in other words, a little under one half of the budget resources available. A slightly smaller amount had been released for the International Conference on Central American Refugees (CIREFCA), in close cooperation with UNHCR. In the African, Caribbean, and Pacific countries parties to the Lomé Convention, the Community had provided funds amounting to some $400 million over a period of four years. An important meeting was due to be held in Brussels between the European Community and those countries, at which UNHCR would be represented.

60. For the implementation of that aid, the prime partners were still the NGOs and the agencies of the United Nations system. The European Community had cooperated with UNHCR in relief work for refugees in various theatres of conflict, including Liberia, Mozambique, Angola and Somalia. Elsewhere, in the conflict zones of the former USSR, the Community, besides its own actions, was sharing with UNHCR the difficult task of sending international humanitarian aid specialists to regions formerly closed to them. The list of the different theatres involved bore witness to the interest which the European Community was taking in refugee matters, its duty to take on its share of international humanitarian relief efforts and its determination to work with the most competent partners. In order to facilitate partnership relations, the Commission had prepared a standard form of partnership agreement, which replaced the different procedures used in the past. So far, it had signed such agreements first with the International Committee of the Red Cross (ICRC) and, subsequently, with over 60 NGOs and other prominent partners making exceptional efforts in the field of humanitarian relief. It wished to conclude agreements of the same kind with United Nations agencies, in particular with UNHCR. Meanwhile, it was seeking to maintain normal working relations with them. The purpose was to introduce more transparency, structure and consistency into those relations.

61. For UNHCR as for ECHO, humanitarian action was by definition limited in time or at least ought to be. Nevertheless, there was great concern, particularly among NGOs, about the arrangements to be made for rehabilitation once conflicts ceased. In the particular case of Yugoslavia, ECHO was already contemplating the post-war situation. For the coming winter, joint ECHO/UNHCR initiatives were already scheduled in matters of shelter, energy

and infrastructure. It would then be necessary to see what other tasks needed to be fulfilled. Rehabilitation did not, strictly speaking, form part of either ECHO's or UNHCR's mandates. Both bodies jointly assumed responsibility for the first steps in that direction. Later, it would be up to those skilled in development work to take over. Nevertheless, the European Commission was not sure who would then be the main actor in the United Nations system or how the necessary coordination mechanisms would function. That question seemed quite urgent to the European Commission, which would like to see it attended to without delay. In any case, the Commission of the European Community greatly valued its close cooperation with UNHCR in the international efforts to bring relief to victims of conflict and disaster.

62. Ms. ZAK (International Federation of Red Cross and Red Crescent Societies) acknowledged the progress achieved during the past year on refugee programmes across the globe and paid a tribute to the work done by the High Commissioner to foster wide-ranging cooperation between the agencies involved. The Federation, its national societies and their staff, both full-time members and volunteers, were in a strong position to contribute to the humanitarian effort on behalf of refugees, in close cooperation with the International Committee of the Red Cross (ICRC). In view of the shortfall in resources available for problems of dimensions such as those of the former Yugoslavia or Somalia, the humanitarian effort required better coordination and the more efficient use of resources. In many countries, Red Cross and Red Crescent national societies were the only structures that had a network reaching into the communities. The Federation helped the national societies to mobilize significant resources effectively and rapidly and encouraged them to work together to respond to emergencies and pursue durable solutions, as was now the case with the national societies in Mozambique and Malawi.

63. The partnership established between UNHCR and the Federation must be extended to the planning of large operations, the optimum division of resources and the adoption of agreed strategies. The Federation welcomed the idea of inter-agency assessment missions coordinated by the United Nations Department of Humanitarian Affairs and was keen to participate further. Those exercises must continue to be well prepared, focused on refugee needs rather than donor deadlines and open for the necessary adjustments. The Federation also believed that the situation reports of UNHCR should fully reflect the contribution of all the parties involved.

64. In reviewing the past year, a number of long-standing areas of concern had been identified, including that of the boat people. The protection of refugees in certain newly independent States of the former Soviet Union and the former Yugoslavia, inter alia, required urgent attention. UNHCR planned to focus more intensively on that problem and its increased presence in the region would be highly welcome to the Red Cross and Red Crescent societies concerned, which, with the Federation's support and in difficult logistic situations, were regularly delivering relief to the needy. The conflict in that region had, unfortunately, overshadowed vital needs elsewhere and other matters affecting the welfare of refugees. Such was the case with the scourge of AIDS, from which many refugees were now suffering or to which they were exposed. The Federation urged the High Commissioner to implement the guidelines developed in 1988. Measures to avert the pandemic should be

applied to refugees as part of existing national programmes and policies. The right to seek and enjoy asylum, a basic human right, could not be undermined by the exclusion of individuals affected by HIV or AIDS.

65. The training courses in refugee law were an important contribution to the protection of refugees and asylum-seekers and were perfectly in line with the fundamental principles of the Red Cross and Red Crescent Movement. The Federation encouraged all its member societies to advocate the application of the instruments on refugee law and on international humanitarian law. It fully supported UNHCR's initiative to revitalize its ties with the NGO community through the PARINAC ("Partnership in Action") process, which would give UNHCR additional opportunities for listening to the views of grassroots organizations. The promotion of action at the regional level on such matters as voluntary repatriation and emergency preparedness was also of great value and ways of easing the sacrifices and stresses often faced by the local host population must be pursued urgently. The Federation looked forward to continuing its partnership with UNHCR as an essential element of its strategic challenge of improving the situation of the most vulnerable.

66. Mr. LAMUNIERE (United Nations Department of Humanitarian Affairs) said that the 18 million individuals throughout the world who had had no other choice but exile imposed an increasingly heavy burden of solidarity on the international community. In providing a humanitarian response to such crisis situations, the United Nations Department of Humanitarian Affairs and UNHCR had developed and continued to enjoy fruitful cooperation, which was the only means of dealing both with the complexity of the crises and the growing scarcity of resources. Such cooperation was carried out within the framework of the Inter-Agency Standing Committee and in a number of complementary areas, the three major ones being early warning systems, consolidated appeals and emergency action focusing on economic recovery and development.

67. The establishment of an early warning system not only facilitated the monitoring of large-scale migration movements, but also made it possible to intervene before situations became critical. UNHCR was playing an active role in the monthly meetings of the working group responsible for dealing with the matter, which brought together the relevant United Nations agencies and ICRC. One of the first success stories achieved by that joint mechanism had been the prevention of large-scale famine in southern Africa in 1992. The rapid deployment of international assistance had prevented population movements that could have been fatal for the fragile countries of the region. Such preventive action was perhaps of no interest to lovers of sensationalism, but it was of capital importance for potential victims, as well as for the Governments concerned. UNHCR had adopted similar measures in Tajikistan and the Department of Humanitarian Affairs was currently setting up structures along the same lines in the countries of the Commonwealth of Independent States. Early warning systems and preventive diplomacy were a particularly important component of the new international order outlined by the Secretary-General of the United Nations in his Agenda for Peace.

68. Consolidated appeals, a procedure established under General Assembly resolution 46/182, were painstakingly prepared for by representatives of the organizations in the field, at the very heart of the emergencies that required action. They were an essential source of information and a precise indicator

of international solidarity. The donor countries must be thanked for their humanitarian commitment, although their response had varied, sometimes being rapidly forthcoming, sometimes late and, at all events, often insufficient. Of the 18 consolidated appeals launched since 1992 with an overall target of more than US$ 4.5 billion, the resources collected for urgent needs had totalled only 55 per cent of that amount. The situation was a disturbing one, for it led to inequality in the treatment of victims. International public opinion tended to give preference, paradoxically, to certain crises at the expense of many other silent Sarajevos. As the High Commissioner and the Under-Secretary-General for Humanitarian Affairs had stated in the Economic and Social Council, the United Nations must not give discriminatory treatment to certain victims. Close cooperation was essential in that area as well, in view of the disturbing turn for humanitarian bodies taken by the structural shortage of resources, which, unfortunately, seemed to be increasing.

69. The third area of cooperation between the Department and UNHCR related to economic recovery and development: the search for lasting solutions to deal with the root causes of population movements. Emergency humanitarian assistance and economic recovery and development were two interrelated activities. Emergency humanitarian aid made it possible to restore public order and acceptable living conditions so as to promote economic development, which was the sole possible response in the long term. The two activities must be kept rigorously separate in terms of management, but emergency operations, if seen from the start from the standpoint of development, were capable of preventing population displacement and promoting the return of refugees and displaced persons. With regard to displaced persons, an area in which the cooperation between the Department and UNHCR was particularly welcome, the legal distinction between refugees and displaced persons was certainly important and necessary. In the field, however, in the heat of a crisis, it was often difficult, if not impossible, to preserve that distinction: the objective had to be to provide relief for all victims, irrespective of their legal status.

70. A final important area of partnership between the Department and UNHCR was that of the protection of humanitarian mandates in emergency situations. The action of the United Nations was increasingly becoming simultaneously political, military and humanitarian, in order to respond rapidly and appropriately to the proliferation of crises. Humanitarian action could save time at the start of a conflict, but it would never prevent one; it must therefore be backed up by political action in favour of the maintenance or restoration of peace, assuming, of course, that such political action did not jeopardize the independence, integrity and neutrality of humanitarian operations. The task was difficult: hence the fundamental need for coordination between the Department, UNHCR and the other bodies participating in such activities.

71. Mr. PAIVA (International Organization for Migration (IOM)) said that shaping responses that were cohesive and constructive in the increasingly complex and compelling field of refugees and migration demanded coordinated action, drawing on the particular role and strengths of the agencies involved. IOM and UNHCR had been developing an effective dialogue along those lines since 1951, the year the two organizations had been created. In response to the Executive Committee's request in 1992, UNHCR had expanded its cooperation

with the international bodies dealing with refugee problems, particularly with IOM, which welcomed that encouraging development and reaffirmed its commitment to working closely with the Office of the High Commissioner and with the other members of the Inter-Agency Standing Committee.

72. IOM had a mandate to ensure orderly migration processes worldwide. Yet population flows were increasingly of a mixed nature, generated by varying combinations of economic imbalance, ethnic conflict, natural disaster and political instability. The partnership between IOM and UNHCR should lend itself well to applying a variety of approaches to the complex nature of population flows. Resettlement activities continued to be a major field for interaction between IOM and UNHCR and were an excellent example of the evolving cooperation between the two organizations. Within the Comprehensive Plan of Action for Indo-Chinese Refugees, for example, the Orderly Departure Programme had gone from being a UNHCR programme in which IOM provided assistance to one that was fully under IOM's auspices. Similar transitions could be envisaged for other aspects of the Comprehensive Plan of Action. Another area of joint activity, voluntary repatriation, was becoming an increasingly real option in Afghanistan, South Africa, Chile and Viet Nam, inter alia. In all such activities, IOM supplemented the role of UNHCR with transport and technical assistance or with subsequent support for rehabilitation.

73. A person's decision to leave his country could be substantially affected by his awareness of realities and legal opportunities abroad. IOM and UNHCR were carrying out a joint programme for the dissemination of reliable information on such matters in Albania and were exploring the possibility of extending that model to other regions. In the newly independent States of the former Soviet Union, the two organizations were carrying out joint training programmes on the legal issues involved in migration and refugee affairs. Such programmes, which were designed to strengthen the capacity of new governmental structures, were critical to the effective future management of migration processes and directly concerned IOM's mandate. Lastly, in the field of migrant health, IOM and UNHCR had recently signed a cooperative agreement relating to the medical needs of victims of the conflict in Bosnia. They were working together in Sarajevo to institute a special medical programme to provide treatment opportunities abroad, free of charge, for individuals for whom care was not available locally. As could be seen, the potential, indeed the demand, for inter-agency collaboration was increasingly wide and varied, from both a functional and a geographical viewpoint. IOM looked forward to playing its role in that process.

74. Mr. O'DONNEL (United Nations Volunteers) said that specialists from the United Nations Volunteers worked with UNHCR in refugee reception, protection, transit and resettlement, arranged the voluntary resettlement or repatriation of refugees and helped them on the road to recovery and self-reliance. In 1993, about 100 specialists would serve with UNHCR, the largest single contingent being in the former Yugoslavia. In 1992, UNHCR and UNV had agreed on the establishment of a special sub-roster of candidates for emergency assignments. At any given time, a number of specialists could be deployed within a few days to areas where UNHCR was carrying out emergency activities.

That exemplary cooperation could be considerably expanded to involve other partners within the United Nations system, a prospect that had been fully endorsed by the Under-Secretary-General for Humanitarian Affairs.

75. Reflecting a sad world of societies in turmoil, 1992 and 1993 had witnessed a rapid expansion in the number of United Nations Volunteers working in the humanitarian field. Specialists were now working in 36 countries and on over 100 humanitarian projects of agencies within the United Nations system. Many of those efforts had been facilitated by the global presence of UNDP, which administered the United Nations Volunteers, and by close cooperation with the United Nations Department of Humanitarian Affairs. The support of member States had likewise been essential. A number of Governments had made contributions to finance the deployment of specialists to help in UNHCR's activities in the former Yugoslavia, Africa and South-East Asia. In the past two years, UNV had mobilized funds totalling over US$ 8.5 million from over 10 different donor countries, but many crucial assignments were still without funding.

76. Citing examples of the humanitarian work carried out by the United Nations Volunteers, he said that an American field officer serving on the Kenyan-Somali border had transported refugees by truck to the Liboi refugee camp; a Peruvian field officer had helped over 38,000 displaced persons from Mali set up horticultural and livestock activities; two volunteers, one Japanese and one Ugandan, had provided assistance to victims of massive human rights violations in the former Yugoslavia; and an Irish volunteer had organized a network of support for 29 collective centres sheltering thousands of displaced persons and refugees in Sarajevo.

77. In cooperation with UNHCR, the United Nations Volunteers would like to expand its activities relating to participatory development and to link them to a network of community-level reconciliation resources for peace and development. Humanitarian relief could also be complemented by parallel peace-building efforts. The United Nations Volunteers could support such efforts in many ways: in helping to overcome confrontation and promoting communication, participation, civic education, mediation, negotiation and collective reconstruction. Whatever the area of activity might be, however, it was ugently necessary, in both human and financial terms, to ensure that humanitarian assistance rapidly achieved its goals at minimum cost and that the delivery of aid neither aggravated an emergency situation nor perpetuated dependency. From that point of view, the use of United Nations Volunteers represented a small investment with a large return in the satisfaction of basic human needs for millions of displaced and marginalized people.

78. Mr. BIZMARK (Islamic Republic of Iran), speaking in exercise of the right of reply and referring to the statement by the observer for Iraq, said that his country welcomed with pleasure any individual who was shown to be Iranian. The Iranian Government was in contact with UNHCR in that regard.

The meeting rose at 6.05 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fourth session

SUMMARY RECORD OF THE 487th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 October 1993, at 10 a.m.

Chairman: Mr. BODDENS-HOSANG (Netherlands)

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(b) Status of contributions and overall financial requirements for 1993 and 1994

(c) Administration and management

Tribute to the memory of UNHCR staff killed in the line of duty

Statement by the Chairman of the UNHCR Staff Council

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GE.93-02774 (E)

The meeting was called to order at 10.10 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. NORDBY (International Council of Voluntary Agencies (ICVA)) said that ICVA was concerned about the narrow way in which the definition of a refugee was being applied in many countries. Recognition as a refugee had come to depend as much on where the claim was made as on the nature of the danger fled. The gap between protection in the countries where the definition given in the 1951 Convention was narrowly applied and protection in Africa, where the definition contained in the Organization of African Unity Convention was applied, and Latin America, which applied the definition contained in the Cartagena Declaration, was particularly dramatic. In ICVA's view, the narrow application of the definition of a refugee could lead to the refoulement of genuine refugees. The 1951 Convention and the 1967 Protocol, if generously and humanely interpreted, could provide protection to many of those encompassed by the definitions given in the OAU Convention and the Cartagena Declaration. The African and Latin American definitions should be used to broaden the definition given in the 1951 Convention rather than to provide a contrast to it.

2. ICVA welcomed the fact that the High Commissioner, in her Note on International Protection (A/AC.96/815), had further refined the basic operational criteria for involvement in situations of internal displacement. ICVA agreed that, in certain situations, it was practically and morally untenable to make distinctions as to who should receive humanitarian assistance or protection on the basis of legal mandates derived from prior status rather than current need.

3. As far as protection and operation strategies were concerned, the United Nations had a long way to go in streamlining emergency management in complex humanitarian crises. Overlapping or unclear mandates, and even competition among agencies, created serious problems in too many cases and were prejudicial to the effective complementarity of the respective organizations. The United Nations Department of Humanitarian Affairs had improved its coordination capacity, but the division of labour between it and UNHCR still created uncertainty. ICVA recommended that UNHCR should more often play a lead agency role. In any case, NGO and United Nations agencies' activities needed to be better coordinated.

4. ICVA warmly welcomed the High Commissioner's establishment of the Partnership in Action (PARINAC) process. The invitation to attend a series of regional conferences, which would serve as a basis for discussion at a global NGO/UNHCR conference to be held in Oslo in June 1994, was a timely initiative. With an ever-growing number of refugees and a rapidly changing environment for humanitarian engagement, there was an urgent need to assess present NGO/UNHCR partnerships and further develop existing and new concepts for the future. The four themes - refugee protection, internally displaced persons, emergencies, and relief, rehabilitation and development - would allow for a thorough discussion of all important aspects of NGO/UNHCR cooperation in refugee work. ICVA believed that the PARINAC process would lead to a consolidated plan of action for the future implementation of the NGO/UNHCR partnership. All States were therefore urged to give strong support to the

process and to the improvement of the partnership in future NGO/UNHCR action. ICVA strongly opposed the allegations that NGOs supported terrorism and failed to support migrants in their own countries.

5. ICVA welcomed UNHCR's formulation of a policy on refugee children and the revision of the 1988 Guidelines on Refugee Children. Since then, the Convention on the Rights of the Child had been adopted and, by September 1993, an unprecedented number of States had either acceded to it or ratified it. The Convention was a most important instrument in protecting children's rights, including those of refugee and internally displaced children.

6. Notwithstanding the progress made by many States and UNHCR in dealing with serious problems which threatened refugee women, the human rights and specific protection and assistance needs of refugee women needed continued and focused attention. Refugee women must be involved in the planning and delivery of services at every stage of a refugee crisis. ICVA urged that immediate measures should be taken to implement the UNHCR Policy on Refugee Women and the Guidelines on the Protection of Refugee Women.

7. Despite encouraging developments in some of the countries in the region, Africa continued to host huge numbers of refugees and displaced populations. In fact, with the exception of Eritrea, the list of countries that appeared regularly in ICVA's statements to the Executive Committee had remained unchanged. ICVA was greatly concerned about the international community's declining interest in a continent that had previously been praised for its generous hospitality and commitment to refugees and asylum-seekers. It therefore commended the High Commissioner on her assurance of continued support to African refugees.

8. At present, there was an increasing spontaneous repatriation from Malawi to Mozambique. The returning refugees were in dire need of basic commodities and services and adequate measures had not been taken by the international community to meet those requirements. While recognizing the enormous tasks already undertaken by UNHCR, ICVA would urge that more should be done to begin assisted repatriation from Malawi immediately. Postponement of the operation until May 1994 was not acceptable.

9. Afghanistan was still in a state of turmoil. The civil war was continuing and no central Government had been established following the collapse of the communist regime. Human rights violations were widespread, the civilian population was under attack and houses were being looted or burned down. In the light of that situation, UNHCR should reconsider its mass repatriation programmes to Afghanistan.

10. ICVA and the European Consultation on Refugees and Exiles had spoken out against restrictive and deterrent policies in Europe because of their shared conviction that such policies were not in keeping with the ethical, legal and practical requirements that must underpin any comprehensive and generous refugee policy. NGOs looked to the Executive Committee to encourage a principled approach by European States to the development of a comprehensive refugee policy. Current policies in western European States might turn eastern and central Europe into a dumping-ground for rejected asylum-seekers.

11. With winter and continuing war ahead, it was realistic to expect an increase in forced migration from the former Yugoslavia into western Europe. However, the Governments concerned had no scenario prepared for burden-sharing or for an orderly reception of the refugees. NGOs called upon western European States to meet the needs of the victims of the war in the former Yugoslavia.

12. ICVA also wished to draw attention to the humanitarian and development crises in the newly independent States. It was necessary that more funding should be made available to meet current needs and for longer-term development programmes and that the relevant specialized agencies of the United Nations system should establish a permanent presence and programmes in the newly independent States. NGOs and bilateral aid organizations should likewise increase their presence there.

13. ICVA urged the Governments of Central America, the Governments of donor countries, national and international non-governmental organizations, United Nations institutions and UNHCR to renew their support to Central America and Mexico beyond May 1994 in the context of CIREFCA. The treatment of Haitian boat people, especially by the United States Government, represented a clear violation of internationally agreed standards. ICVA commended UNHCR on its earnest efforts to carry out its protection mandate on behalf of Haitian refugees.

14. In solving the problems of refugees and displaced persons, the sponsors of the Middle East peace talks were urged to take into consideration the particularities of each of the countries involved. Any durable solution should be based on respect for the rights of their populations and the right to return should be recognized for Palestinian refugees beyond the territories of Gaza and Jericho.

15. At the same time, ICVA was concerned about UNHCR's attempts to raise funds in the private sector. By doing so, it competed with NGO fund-raising for refugees. ICVA therefore called on UNHCR not to engage in any fund-raising in the private sector without prior coordination with NGOs.

16. In conclusion, ICVA expressed its respect for the High Commissioner, who had so often and so rightly stressed that the solution of the world's refugee problems lay in universal adherence to fundamental human rights standards.

17. Mr. MAJOLA (Pan-Africanist Congress of Azania (PAC)) thanked UNHCR for actively participating in the programme to facilitate the return of South African political exiles after 4 September 1991, as well as all donors that had made it possible to allocate a sum of 54 million rand to the programme. It should, however, be remembered that the South African regime had not yet granted a general amnesty to all South African exiles. Consequently, some returnees had been arrested on their return, while others had simply disappeared, only the regime knowing what had happened to them. Many of the returnees had been subjected to State-sponsored harassment.

18. Some of the exiles had gone abroad in the early 1960s following the Sharpeville massacre. The next wave of refugees had left after the Soweto uprising in June 1976. Many had thus many had spent over a decade in exile.

During that period, family members had changed locations and addresses, with the result that, in many instances, returning exiles found it difficult and expensive to trace their next of kin.

19. Very little baggage allowance was given to returnees, adding to their resettlement problems. A returnee was not assured of a home on return and had no employment to go to and no security. Those factors had a telling effect on returnees and many became disillusioned. He welcomed the agreement between UNHCR and the Government of South Africa regarding the return of Mozambican refugees.

20. The major task with regard to the resettlement and reintegration of returnees was the urgent need to involve them and to supply sustenance. One objective was to provide them with education at different levels. At present, the Batlagae Trust, which catered for the educational and related needs of all returning scholars and students, had the principal aim of providing bursaries to eligible returnees. The main problem in that regard was the availability of resources. The Trust currently needed 8.5 million rand to cope adequately with the situation for the coming period, representing an average spending of 3,300 rand per person on an estimated number of 2,600 beneficiaries for the year 1994.

21. Another important matter of immediate concern was development assistance, employment and training opportunities. Short-term vocational training, income-generating projects and initial assistance to facilitate pioneering projects were all priorities at the moment. PAC thanked the European Community for having pledged more than 10 million rand in 1992 for development assistance, only 25 per cent of which had so far been utilized.

22. A Reintegration and Development Trust had been set up to provide development assistance to all returnees and other marginalized communities in South Africa. Its components were PAC, ANC and eminent persons in the community. It urgently needed resources in order to carry out its mandate effectively. It had a projected budget of approximately 25 million rand. PAC sincerely hoped that the international community would do everything in its power to ensure continued support for the reintegration of returnees by enabling the Trust to implement its plan.

23. PAC also thanked the High Commissioner for making an additional contribution to development and training. It noted with appreciation the donation of a multi-purpose training centre which would benefit the entire marginalized community.

24. PAC was grateful to UNHCR for having shown concern about the situation of women and children in South Africa and for having provided its legal umbrella to UNICEF to enable it to continue its presence in the country. A situation analysis report on women and children in South Africa had been produced by UNICEF together with the National Children's Rights Committee, which faced an enormous challenge, since most victims of violence in South Africa were women and children. As the elections approached, violence was likely to escalate next year and former prisoners and returnees might be the most targeted. Consequently, UNHCR should maintain its offices in neighbouring countries.

25. Education, development assistance in the form of training and employment opportunities, as well as housing, were the priorities for political returnees. Those vital issues must be adequately dealt with if the transitional period for the democratization process was to be smooth and relatively peaceful. PAC was confident that favourable consideration would be given to its requests.

26. The CHAIRMAN, summing up the general debate, noted that many speakers had commended the performance of the High Commissioner and her staff over the past year, particularly staff in the field, who were working in increasingly difficult and often dangerous circumstances.

27. Many delegations had pointed out that 1993 had been the most dramatic year that UNHCR had faced in its history. The multiplication of conflicts had put increasing pressure on established international norms such as the institution of asylum and respect for international humanitarian law. There was a potential for additional massive movements of population in various parts of the world. The burden imposed by the massive presence of refugees had been made clear in a number of eloquent statements by the representatives of hard-pressed countries of asylum in the developing world.

28. Speakers had repeatedly drawn attention to the need to deal with the multiple causes of refugee movements through innovative strategies that were capable of adjustment to changed international circumstances. The emphasis placed by the High Commissioner on preventive and solution-oriented activities had been particularly welcomed. At the same time, the limits of humanitarian action had been stressed and the need for effective and concerted political initiatives had been emphasized.

29. As the number of asylum-seekers continued to grow, the need to preserve the institution of asylum was seen as being of crucial importance. Speakers had reiterated their commitment to their international obligations to provide protection for refugees and others with a justifiable claim to special humanitarian consideration. Nevertheless, the asylum system was also coming under mounting pressure from abusive claims. A number of speakers had drawn attention to the urgent need for a comprehensive approach to refugees and migration in order to relieve strains on the asylum institution. Attention had also been drawn to the need for further systematic thinking on the concept of safe countries of origin or asylum in order both to avoid disruptive movements of asylum-seekers and to ensure that refugees were protected against possible refoulement. The need for fair and fast procedures for the determination of refugee status had also been stressed, as had the need for innovative approaches, including temporary protection. A number of other protection concerns had been raised, prominent among them being the concern to provide for the protection of refugee women and children.

30. Repatriation had been repeatedly reaffirmed as the most satisfactory solution to refugee problems. Attention had been drawn, however, to various constraints on repatriation in a number of regions. They included security considerations, the lack of adequate resources and the need to work for more comprehensive integration measures. The development of voluntary repatriation guidelines by UNHCR had been welcomed.

31. Many speakers had also welcomed UNHCR's increased focus on preventive measures designed to avert or contain refugee flows. The importance of respect for human rights, good governance and the promotion of sustainable development had been referred to by various delegations. Early warning capacity and mass information programmes, it had been suggested, were important elements of a preventive strategy. Attention had also been drawn, however, to the limits of prevention and to the consequent need for emergency preparedness.

32. The internally displaced had figured prominently in the debate. Concern had been expressed about the dimensions of the problem and the potential for further deterioration. There had been a broad measure of support for the High Commissioner's criteria for UNHCR's involvement in situations of internal displacement, but different views had been expressed on the precise extent of the Office's role in such situations. While action in favour of internally displaced persons could be seen as an important preventive activity, there had been some concern that UNHCR's mandate should not be overstretched. The issue of national sovereignty had also been raised by a number of delegations. There had been a suggestion that the Sub-Committee of the Whole on International Protection should study further the question of internally displaced persons in order to clarify UNHCR's involvement. The subject could also be discussed at a joint meeting of the two Sub-Committees.

33. In view of the scale of current humanitarian emergencies, the need for coordination both within and outside the United Nations system had been repeatedly stressed. Appreciation had been expressed for the High Commissioner's strategy of building partnerships. A need was clearly felt to develop a culture of cooperation which would take account of comparative advantages. Many delegations had welcomed the Partnership in Action Programme (PARINAC).

34. The importance the High Commissioner attached to the development of linkages between humanitarian, political and peace-keeping processes had been widely endorsed, as had linkages with development institutions to ensure the continuum from relief to development. Nevertheless, with regard to linking up with political initiatives, repeated mention had been made of the need to maintain UNHCR's strictly humanitarian mandate and the impartiality of humanitarian assistance.

35. A number of delegations had stressed that it was important for UNHCR to develop management skills in order to respond effectively to the complex challenges it faced. Mention had been made of the need to maintain and enhance administrative structures.

36. The rapid increase in UNHCR's budgetary requirements as it faced new emergency situations around the world had led a number of delegations to stress the importance of widening the donor base in order to ensure that adequate resources could be obtained. Generous new pledges had been made in the course of the session by a number of donors, for which UNHCR was very grateful.

(a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1992-1993; ADOPTION OF THE 1994 GENERAL PROGRAMMES AND BUDGET

(b) STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1992 AND 1993

(c) ADMINISTRATION AND MANAGEMENT (agenda item 5) (A/AC.96/808, Parts I to VI, 810, 811, 812, 812/Add.1, 813 and 816)

37. Mr. WALZER (Acting Deputy High Commissioner), introducing agenda item 5, said that information on UNHCR's programme for 1992-1993 and the projections for 1994 were set out in document A/AC.96/808, Parts I-VI. Total activities for 1993 under both General and Special Programmes were expected to cost around US$ 1.27 billion. Two thirds of those activities related to Special Programmes, many to promote voluntary repatriation. Budgetary estimates for General Programmes for 1993 remained at US$ 413.6 million. Although additional needs had been revealed since the Committee had approved those targets, they had been accommodated within the approved level.

38. As to 1994, the initial budgetary estimates for General Programmes stood at US$ 418,523,000. That amount included provisions for the Emergency Fund and the General Allocation for Voluntary Repatriation, as well as a Programme Reserve for 1994 amounting to US$ 33.9 million. The Executive Committee's formal approval was being sought for that 1994 General Programme target, to be implemented subject to availability of funds. The 1994 General Programme needs would be reviewed again in late 1993 and the members of the Executive Committee would be informed of any major changes and of progress in implementation.

39. Some of the most important Special Programmes were for the former Yugoslavia and Afghanistan and the Comprehensive Plan of Action for Indo-Chinese Refugees. In comparison to the amounts indicated in Table V.3 of document A/AC.96/813, estimated needs for 1993 had been revised downwards, mainly because of difficulties in implementing some of the Special Programmes, changes in planning assumptions and delayed receipt of contributions. Upward revisions had been made however, for African repatriation programmes, in the Horn of Africa and West Africa. The estimates for 1994 Special Programmes must be regarded as particularly tentative. UNHCR was preparing a comprehensive update of Special Programme estimates for 1994 which it expected to submit in mid-December 1993.

40. With regard to funding, UNHCR would be asking the Executive Committee to approve the 1994 General Programmes budgetary target and attached great importance to full funding of that target. The resources made available would be carefully managed and, where necessary, priorities among programmes would be set.

41. The sustained support of member States was still required to carry many humanitarian programmes through to the end of 1993. In early September, income had stood at US$ 680.5 million. The contributions announced since then had brought the overall level for 1993 to around US$ 1 billion.

42. For 1994, while it was anticipated that some major programme needs would decline, for example, in Cambodia and South-East Asia, it would hardly be realistic to assume that overall requirements in the humanitarian sector would diminish significantly. The High Commissioner greatly appreciated the efforts made by both asylum and donor countries in supporting UNHCR. Given the priority attached to the General Programmes, UNHCR requested that contributions should be announced early, especially at the Pledging Conference.

43. Referring to administration and management, he said the High Commissioner was committed to enhancing UNHCR's operational capacity, performance and accountability. A number of initiatives had been proposed, including those aimed at improving programming and at establishing solid administrative and financial support systems, particularly in the early stages of emergencies. With rapidly growing demands on the Office and an ever-changing operational environment, UNHCR had to be ever more creative and vigilant to ensure that the right systems and controls were in place. The safety of staff was of special concern to the High Commissioner. In cooperation with the United Nations Secretariat, steps had been taken to address that issue more fully. The number and gravity of security incidents were increasing, however, and UNHCR would look for the support of member States in raising the issue in the General Assembly and the Security Council.

44. In conclusion, he expressed gratitude for the support and guidance the Executive Committee had given to the deliberations of the Sub-Committee on Administrative and Financial Matters over the past year.

45. The CHAIRMAN, noting that the Sub-Committee on Administrative and Financial Matters had already adopted its report as contained in document A/AC.96/820, said that if he heard no objection, he would take it that the Executive Committee also wished to adopt the report.

46. It was so decided.

47. The CHAIRMAN invited the Executive Committee to consider the programmes dealt with in document A/AC.96/808.

48. Mr. SAENZ CARRETE (Observer for Mexico), referring to document A/AC.96/808 (Part IV), said that his country worked in close cooperation with UNHCR in an effort to improve the protection and well-being of the refugee population.

49. While the statistics given in paragraph 4.5.1 were close to the reality, that was not true of the figures contained in paragraph 4.5.6. During 1992 and 1993, all persons involved in refugee care had been pleased to see that humanitarian assistance aimed at promoting development activities could produce beneficial results. As a result of the design and implementation of the Multi-Year Plan, refugees in Campeche and Quintana Roo had begun to achieve food self-sufficiency at the end of 1982. However, additional inputs were necessary in order to move from an emergency situation to a development situation. In that connection, his delegation supported the General and Special Programmes submitted by UNHCR for 1994.

50. Referring to paragraph 4.5.7 on eligibility criteria for the granting of refugee status, he said that, on 17 September 1993, a new procedure had been adopted to make possible an appropriate change in the status of all refugees.

51. With regard to paragraph 4.5.9, the registration of all refugee children born in Mexico had been completed in Chiapas with the issue of 9,220 birth certificates.

52. Mr. BENHIMA (Morocco) stressed that UNHCR's programme evaluation systems and procedures should be improved in order to ensure the effectiveness and profitability of self-sufficiency activities and to guarantee the well-being of refugees. In that context, he referred to document A/AC.96/808 (Parts V and VI) and, in particular, the paragraphs on Western Saharan refugees. His delegation once again rejected the figure of 165,000 which was given and which it had on repeated occasions described as exaggerated. He recalled that, according to the very broad estimates made by the United Nations Mission for the Referendum in Western Sahara (MINURSO), those persons, including children, did not number more than 65,000. According to authoritative, neutral and impartial sources, that figure would be much lower if the conditions for strict identification were met. His delegation noted that the figure of 165,000 had never been confirmed by UNHCR and that it could not be adopted as a basis for estimating requirements, since it was well known that the operation for the identification and counting of Western Saharans had not yet been completed.

53. Mr. SWIFT (Ireland) said that, subject to the completion of its normal budgetary procedures, Ireland planned to increase its contribution to the UNHCR core General Programme by some 60 per cent in 1994 i.e. to approximately US$ 1,250,000, in line with the request made by the High Commissioner. It also hoped to increase its support for the Special Programmes.

54. He associated his delegation with the concern expressed by the High Commissioner and other UNHCR spokesmen about the deterioration in the security situation for UNHCR field staff. Ireland, whose people had a long tradition of service in both United Nations peace-keeping and humanitarian operations, had always ranked the safety of personnel as a priority. It hoped that other countries would respect the neutrality of UNHCR field operations and do all in their power to ensure the safety of staff working in humanitarian operations.

55. He endorsed the view that refugee flows often had at their source grave violations of human rights and that effective prevention therefore had to be closely linked to action aimed at protecting those fundamental rights and freedoms.

56. XU LIUGEN (China) said that the figure given in the second sentence of paragraph 2.3.18 of document A/AC.96/808 (Part II) should be changed to read "546". By the end of the current year, moreover, some 400 refugees would be repatriated, thereby concluding the voluntary repatriation programme involving those refugees.

57. The CHAIRMAN suggested that the Executive Committee should adopt the proposals relating to General Programmes summarized in paragraph 81 of

document A/AC.96/813, as amended by paragraph 27 of document A/AC.96/820. Those proposals were:

(a) That the Executive Committee should approve the revised country and area programmes and the overall allocations of the 1993 General Programmes which remained at the already approved target of US$ 413,658,000;

(b) That the Executive Committee should approve the country and area programmes and the overall allocations for the 1994 General Programmes amounting to US$ 418,523,000 (including US$ 25 million for the Emergency Fund and US$ 20 million for the General Allocation for Voluntary Repatriation), as contained in document A/AC.96/808 (Parts I-VI) and as included in column (8) of Summary Table 2 of document A/AC.96/813, recognizing that, given the current proposed estimates for Special Programme activities for 1994, overall estimated financial requirements would amount, subject to the availability of funds, to approximately US$ 1.2 billion;

(c) That the Executive Committee should authorize the High Commissioner to effect such adjustments in projects, country or area programmes and overall allocations as might be required by changes affecting the refugee programmes for which they were planned, using the General Programmes Reserve where necessary, and to report such adjustments to the Executive Committee at its forty-fifth session in October 1994;

(d) That the Executive Committee should approve the transfer in 1994 of up to US$ 300,000 from the Programme Reserve to the Fund for International Field Staff Housing and Basic Amenities.

58. If he heard no objection, he would take it that the Executive Committee adopted those proposals.

59. It was so decided.

TRIBUTE TO THE MEMORY OF UNHCR STAFF KILLED IN THE LINE OF DUTY

60. Mr. ISHAK (Chairman, UNHCR Staff Council) paid a tribute to the memory of UNHCR staff killed in the line of duty.

61. At the invitation of the Chairman, the members of the Executive Committee observed a minute of silence.

STATEMENT BY THE CHAIRMAN OF THE UNHCR STAFF COUNCIL

62. Mr. ISHAK (Chairman, UNHCR Staff Council) noted that, in the decisions it would adopt at its forty-fourth session, the Executive Committee would be requesting the High Commissioner to take certain actions and implement certain mandates. Yet the High Commissioner did not perform those tasks single-handedly: the members of the UNHCR staff carried them out and would continue to do so in future with vigour and dedication. Staff welfare and morale were of critical importance to the success of the High Commissioner's programme and it would be unwise and, surely, unfair if the dedication of the staff was taken for granted.

63. At the request of the Executive Committee, the Staff Council had submitted to the forty-second and forty-third sessions detailed reports on issues of concern. The staff was grateful that the High Commissioner had repeatedly affirmed her determination to resolve outstanding issues of human resource management in UNHCR and it was impatient to see the implementation of long-awaited improvements relating to working conditions and career development opportunities. Unfortunately, the good intentions of the Executive Committee and the High Commissioner had not been translated into action by the responsible Divisions.

64. The past year should have been dedicated to the development of a human resources management strategy that responded to the increased complexity of operational requirements and at the same time offered improved career development opportunities to the staff. Studies and surveys carried out by various task forces and working groups tended to corroborate the views expressed by the Staff Council in its reports to the forty-second and forty-third sessions of the Executive Committee. But as documentation and reports piled up, it was legitimate to ask when action would be taken.

65. Since early 1993, there had been a breakdown in dialogue between the Staff Council and the Division of Human Resources Management. The necessary strategy had not been established and none of the reports had been put into practical implementation. The only exception to that rule had been the revamping of the 1985 Regulations governing the Appointment, Posting and Promotion Board of staff in the Professional category. Even that would not have been possible without the exceptional efforts made by the Acting Deputy High Commissioner, whose commitment to frank discussion and sincere cooperation had been much appreciated by all the staff representatives. Yet even the support of the High Commissioner, including her much appreciated availability to discuss issues of concern, could not replace continuous dialogue with the Division of Human Resources Management.

66. There had been a trend not to engage in mandatory consultations with the Staff Council on important staff issues and a lack of transparency in many administrative actions. Under the pretence of the need to respond to emergencies, the Division had paid little heed to established principles of equity, fair play and justice. That unfortunate attitude had manifested itself most clearly in respect of the appointment, posting and promotion of staff. An increasing number of allegations of administrative irregularities, violations of staff rules and arbitrary decision-making had been raised by staff members. The High Commissioner had ordered an outside inquiry by a consultant on those allegations and had published the inquiry report in its entirety. That had been a significant step towards achieving greater transparency in the work of the Division of Human Resources Management. The consultant had confirmed 12 instances of irregularities affecting almost all aspects of human resources management in UNHCR.

67. Appeal cases involving UNHCR staff accounted for one third of all those received by the Geneva Joint Appeals Board. The Board had recently recommended the payment of thousands of dollars in financial compensation to appellants in compensation for damage suffered. Those funds could have been used to assist thousands of refugees. Such a waste of resources could be substantially reduced through proper and fair management practices.

68. Staff members expected their contribution to be recognized and to be justly treated. They were capable and dedicated, but also diverse in terms of culture, education and family constraints. The successful completion of a UNHCR programme meant a new, dignified life for refugees, but should not mean an abrupt end for the careers of those who had made such successes possible. The services of some of the most experienced and dedicated staff members had recently been terminated without appropriate notice, causing tremendous hardship to them and their families. Policies and plans must be developed to deal humanely with such situations.

69. The level of hardship and occupational stress to which the staff was exposed required careful studies and should be fully taken into consideration in all human resources management policies. Equal treatment was not just a question of entitlements or allowances. Staff members were required to serve in stressful situations under conditions of physical danger and emotional strain and often to be separated from their families. They had to make personal sacrifices and work long hours, far beyond the financial compensation provided. General Service staff at headquarters and local staff in the field, who represented the backbone and institutional memory of UNHCR, had many concerns that remained unanswered. The low priority accorded to the improvement of their working conditions remained a source of grave concern to the Staff Council.

70. The continuing media attacks on the United Nations in general and UNHCR staff in particular indicated the public's frustration over examples of mismanagement, waste and corruption. Although there could be some truth in what the media reported, that kind of lopsided publicity affected the morale of honest staff members. Corruption must be eradicated and incompetent staff not tolerated. The top-heavy structures put in place or being proposed, such as an expanded audit unit, senior management advisers, an ombudsman or a new Office of the Inspector General would not suffice to prevent waste. The staff at large must be the first line of defence against fraud, waste and abuse and would always be the most effective enforcement authority. Care must be taken to assure that those who drew attention to corruption were protected from reprisals. The Staff Council had decided to issue a staff newspaper, which it believed would have a preventive impact in such matters. The newspaper was produced entirely out of voluntary contributions from the staff.

71. Offices with controlling functions such as the Controller and the Division of Human Resources Management must do more than prevent failure: they must encourage success. Given the magnitude and pace of change in the world and in UNHCR's role, the need for creativity and innovation and an ability successfully to accommodate change were fundamental to the Office's effectiveness. There should be no scope for ambiguity and managers should be held truly accountable.

72. The staff was hopeful that the future would be better and it would continue to strive for improvements. It pledged its full cooperation in carrying out the responsibilities the Executive Committee would entrust to the High Commissioner.

The meeting rose at 11.45 a.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fourth session

SUMMARY RECORD OF THE 488th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 8 October 1993, at 10 a.m.

Chairman: Mr. BODDENS-HOSANG (Netherlands)

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Any other business

Adoption of the draft report of the forty-third session

Closure of the session

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GE.93-02822 (E)

The meeting was called to order at 10.25 a.m.

REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1992-1993; ADOPTION OF THE 1994 GENERAL PROGRAMMES AND BUDGET (continued) (agenda item 5 (a)) (A/AC.96/808, Parts I to VI)

1. Mr. SAFAEE (Islamic Republic of Iran) said that his delegation objected to the content of paragraph 5.0.20 in Part V of document A/AC.96/808. His Government's policy was the voluntary, dignified and safe repatriation of Afghan refugees. Despite difficult economic constraints, the Islamic Republic of Iran continued to support, encourage and facilitate the voluntary repatriation of Afghan refugees to their homeland and to care for the large number of refugees remaining in its territory.

PARTICIPATION OF GOVERNMENT OBSERVER DELEGATIONS (agenda item 6) (A/AC.96/XLIV/CRP.2/Rev.1)

2. The CHAIRMAN recalled that, in accordance with a decision taken by the Executive Committee in 1988, meetings of the Sub-Committees and informal meetings of the Executive Committee had been opened to participation by Government delegations which submitted formal applications for approval by the plenary. A list of observer Governments which had submitted applications for 1994 was contained in document A/AC.96/XLIV/CRP.2/Rev.1. If he heard no objection, he would take it that the Executive Committee approved those applications.

3. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-FIFTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 7) (A/AC.96/XLIV/CRP.1)

4. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee decided to adopt the provisional agenda for its forty-fifth session (A/AC.96/XLIV/CRP.1).

5. The provisional agenda (A/AC.96/XLIV/CRP.1) was adopted.

ANY OTHER BUSINESS (agenda item 8)

6. Mr. KAMAL (Pakistan), said that, in the light of the High Commissioner's opening statement and of several statements made by delegations during the general debate, he had three ideas to put forward for the Executive Committee's consideration.

7. First, in the context of the diplomacy of prevention and containment, there was a pressing need to identify geographical areas of potential and future instability and tension where significant displacements of populations could occur. For each of those areas, the root causes of tensions should be identified, along with options for possible responses, so that timely and effective choices could be made and action taken before the situations had generated into actual crises requiring emergency intervention.

8. Secondly, the fact that, in many parts of the world, the problems of refugees, economic migrants and internally and externally displaced persons were today inextricably linked created a new challenge which called for an adjustment of the international community's traditional thinking and responses. The Executive Committee needed to reflect on how that adjustment could be made.

9. Thirdly, the new global situation had also created a need for greater clarity in defining the mandates and responsibilities of existing institutions and mechanisms. Some thought had already been given to that problem, but much more was called for. The Executive Committee needed to build on and further strengthen expertise in the general area of displaced and uprooted populations. To some extent, that required the harmonization of international and national rules relating to international humanitarian law, the law relating to victims of war and the law relating to refugees, migrants and displaced persons. Such harmonization must, of course, be done without harming existing institutions and structures. The strengthening of expertise also required the development of a modus vivendi based on existing practices, but geared to preventive rather than curative action. A high degree of coordination between different components of the international system would be essential for that purpose; there again, however, reflection must precede action.

10. Initially, the issues he had outlined could probably be discussed, on the basis of existing resources, by a small advisory think tank constituted with the best available expertise drawn from member States and from within and outside the High Commissioner's Office. The idea might perhaps be discussed further, bearing in mind, of course, that the work of any think tank would have to be conducted with the full degree of transparency that all delegations had come to admire in and expect from the present leadership of UNHCR.

11. The CHAIRMAN said that the suggestions just made would be considered by the Bureau and referred to the Executive Committee at the appropriate time.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-FOURTH SESSION (agenda item 9) (A/AC.96/XLIV/CRP.3)

12. Mr. MIRANDA (Nicaragua), Rapporteur, introducing the draft report of the forty-fifth session of the Executive Committee contained in document A/AC.96/XLIV/CRP.3, said that the text of the following decision should be added at the end of chapter III:

"J. Decision on Internally Displaced Persons

30. The Executive Committee,

Considering the provisions of the General Conclusion on International Protection adopted by the forty-fourth session of the Executive Committee regarding internally displaced persons, notably its paragraphs (s) and (ff),

(a) Requests the Sub-Committee on Administrative and Financial Matters to review the financial and programmatic implications of the current UNHCR activities, including information, related to internally displaced persons."

13. In addition, the last three lines of paragraph (n) of the General Conclusion on International Protection (chap. III.A.1., para. 19) should be amended to read:

"... and to keep the Sub-Committee of the Whole on International Protection and, where appropriate, the Sub-Committee on Administrative and Financial Matters informed;".

14. Mr. LEBEDEV (Observer for the Russian Federation), referring to paragraph (n) of the General Conclusion on International Protection, stressed that there was an urgent need for consultations, as provided for in the paragraph, on refugee problems in Russia. As his delegation had pointed out in its earlier statements, any delay in holding consultations could entail unpredictable consequences. He urged the High Commissioner to take the necessary steps to begin such consultations.

15. The draft report of the forty-fourth session (A/AC.96/XLIV/CRP.3), as amended, was adopted.

CLOSURE OF THE SESSION (agenda item 10)

16. Mrs. OGATA (United Nations High Commissioner for Refugees) said that she had listened with great interest to the views of all members and had been very much encouraged by their positive statements. The fact that some 80 delegations had taken the floor was in itself a clear indication of the level of their interest in and support for the work of her Office. She thanked them for their valuable contributions, as well as for the kind words addressed to her and her Office; they represented a tribute to the dedication and diligence of UNHCR staff in the field and at Headquarters. It had been a pleasure and a privilege for her to meet many of the staff during her frequent field visits. She greatly valued their support and cooperation in confronting the challenges which lay ahead in a turbulent world. As she had noted in her opening statement, there were many issues of concern to staff which required urgent attention. She reaffirmed her full commitment to pursuing those issues in the coming months.

17. The past year had been a difficult and demanding one, confronting UNHCR with the dual challenge of responding to emergencies, while, at the same time, seizing opportunities for solutions, often in the midst of instability and uncertainty. The strategy of prevention, preparedness and solutions had been widely and strongly endorsed. Everyone was aware, however, of the parameters of prevention, the limits of preparedness and the constraints of solutions. The task ahead was difficult enough with support, cooperation and resources: without them, it was impossible. She therefore deeply appreciated all

expressions of political support and was grateful for the generous contributions announced by a number of Governments. The pledges totalled US$ 86.8 million, of which some US$ 30 million were for General Programmes. Her Office would inform the members of the Executive Committee of the funding situation before the Pledging Conference on 10 November 1993.

18. She had listened carefully to members' comments on the problem of the internally displaced and had taken note of the support expressed for UNHCR's activities on behalf of that group, as well as of the warning about the need to place careful limits on UNHCR's involvement. She was gratified that many delegations had found the suggested criteria for the involvement of her Office to be a useful and pragmatic means of clarifying and delimiting responsibilities for that complex yet urgent humanitarian problem.

19. The Executive Committee's encouragement and guidance were particularly important at a time when UNHCR's humanitarian work was increasingly becoming a critical part of a larger agenda for peace, security and development in the post-cold war world. The statements of many delegations had reflected the importance of the linkage between peace-keeping, peacemaking and peacebuilding, on the one hand, and humanitarian assistance, on the other. Those linkages underscored the need for closer partnership with other actors. She counted on all members of the Executive Committee to use their influence in the various forums in which they participated to emphasize and mobilize the pentagonal partnership she had outlined in her opening statement.

20. The partnership-building exercise implied a need to create greater awareness of refugee issues among policy-makers. As one of the means of achieving that goal, the first Report on the State of the World's Refugees would be published by UNHCR in early November. The English version was due out on 9 November, the French version in early December and other language versions would follow in early 1994. She hoped that members would find the report informative and thought-provoking. The plan was that similar reports should be issued every two years.

21. The current session of the Executive Committee was coming to an end, but UNHCR's work had to go on. Looking ahead, she was aware of uncertainties, perils and threats, but was also encouraged by new forces of change, symbolized most recently and dramatically by the remarkable signs of peace in the Middle East. Ultimately, it was through the promotion of peace that solutions to refugee problems could be found, as it was through the pursuit of global human security that refugee problems could be prevented. It was gratifying and reassuring to know that UNHCR enjoyed the support and cooperation of the member and observer States of the Executive Committee, the United Nations agencies and international and non-governmental organizations as it continued its unique and challenging mission of protection and solutions for refugees.

22. The CHAIRMAN noted with pleasure that, thanks to the spirit of cooperation shown by all concerned, the Executive Committee had been able to complete its work on time. The session was coming to an end, but work would continue to be done both in Geneva and in the field. He hoped that UNHCR staff in the field would receive some new inspiration from the debates which

had taken place and, even more important, that the refugees themselves would be heartened by the knowledge that work was being done on their behalf.

23. The decisions just adopted would add further duties to the already considerable workloads of the two Sub-Committees. Non-governmental organizations could also draw fresh inspiration from the session, which had shown very clearly that all delegations supported the Partnership in Action (PARINAC) process leading up to the world conference to be held in Oslo in June 1994.

24. He declared the forty-fourth session of the Executive Committee closed.

The meeting rose at 11.05 a.m.